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Lawsuit takes aim at Echo Canyon water rights in Grand County Utah

NEWS COVERAGE ON THIS LITIGATION

- July 2, 2025 - [Lawsuit takes aim at Echo Canyon water rights](#). By Doug McMurdo for Moab Times-Independent and Salt Lake Tribune.

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Press Release for immediate release as of June 28, 2025

LIVING RIVERS AND KANE CREEK DEVELOPMENT WATCH CHALLENGE KANE CREEK LUXURY RESORT'S WATER RIGHTS

Note: The developers have recently changed the name of their luxury resort from Kane Creek Preservation and Development, LLC to Echo Canyon, a Preliminary Municipality.

Note: The citizen's group known as Kane Creek Development Watch has a nickname: "The Watch"

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Living Rivers and Kane Creek Development Watch (hereafter referenced together as "Watch") have filed a lawsuit in the Seventh Judicial District Court of Grand County challenging the validity of the water rights claimed by Kane Creek luxury resort developers ("Developers"). Watch's lawsuit states that the Developers' groundwater and Colorado River water rights were not put to beneficial use for more than seven years, which, under Utah law, means the water rights are subject to forfeiture. Development, even the preliminary bulldozing, cannot legally continue without a water supply.

Local opposition to the proposed Kane Creek luxury resort has been strong and consistent, with residents voicing concerns at standing-room only public hearings. "This project does nothing to address Grand County's affordable housing crisis—in fact, it makes it worse," said Laura Long, a Watch activist and frequent speaker at the hearings. "It's an exclusive enclave for wealthy investors that would drive up land prices, strain local infrastructure, cost local taxpayers money, and destroy the natural character of the canyon and the Colorado River floodplain." The resort proposal (which has changed several times) calls for over 550 high-end housing units, 70,000 square feet of commercial space, and 100 overnight accommodations in the heart of the Kings Bottom area.

Bob Phillips, a water right owner and Moab Mosquito Abatement District manager for 23 years who frequently observed and assessed the proposed project site, says, "Utah law

is very clear that if water rights aren't put to beneficial use for seven years, those water rights are no longer good. Anyone who has spent time in the Kane Creek development area knows that there's barely been any irrigation there for decades. Therefore, the developers have lost their right to this water--and there are plenty of other people who want it.”

In their prior protest to the use of these water rights, the U.S. Bureau of Land Management (BLM) noted that several natural springs on public lands adjacent to development could shrink or dry up due to increased groundwater use at the development. The BLM's springs are critical for wildlife and nearby native plants and hanging gardens--places like Moonflower Canyon, Hunter Canyon, Pritchett Canyon, Kane Canyon, and the Behind the Rocks Wilderness Study Area.

John Weisheit, Colorado Riverkeeper and director of Living Rivers agrees: “We need to show respect to the Colorado River and our water supplies in times of prolonged drought, water scarcity, flood events and in land use. The Developers of this luxury resort on the Colorado River fail to do so.”

Dave Closser, a Moab resident, has been monitoring the resort's progress from the beginning. He is concerned about safety and delays on Kane Creek Boulevard, a rough and narrow gateway access road for public recreation traversed daily by tourists and Grand County residents alike. “The resort construction and massive infrastructure development will make accessing all of Kane Creek Boulevard, and nearby recreation areas, difficult and dangerous for years. There will be long delays on the narrow road along the River, and there are no go-arounds. Local businesses could be forced to cancel or reduce their operations which will trickle down to their bottom line and the pockets of their employees. And who is going to pay for the road expansion? It's going to cost millions of dollars, and the federal government has already declined to fund it.” Several local tourism business owners submitted statements in support of the lawsuit, noting that the resort and its water use could damage their businesses.

Kane Creek Development Watch is a grassroots citizen's group based in Moab. It sprung up in 2024, in response to this resort proposal. Its strong network of donors and activists have been pushing back against the well-funded and politically-connected Developers, including by funding this lawsuit (which is funded entirely by hundreds of local residents and visitors) and collecting 17,850 signatures from residents and others opposed to this massive resort. Watch is dually focused on (a) mitigating impacts from the development on the unique area it would decimate, the surrounding ecosystem, and adjoining public lands, as well as (b) preventing additional strain on the water supply of the Colorado River and its tributaries, which are over-appropriated.

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DOCUMENTS:

- [The complaint and exhibits](#)
- [The complaint only](#)
- [The exhibits only](#)

ADDITIONAL WEBSITES:

- <https://kanecreekwatch.org/>
- <https://www.livingrivers.org/nonprofit/moab-ut>

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