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Tracie K. Lindeman
Clerk of Supreme Court

**IN THE SUPREME COURT
OF THE STATE OF NEVADA**

EUREKA COUNTY, a political subdivision of
the State of Nevada; KENNETH F. BENSON,
individually; DIAMOND CATTLE
COMPANY, LLC, a Nevada limited liability
company; and, MICHEL AND MARGARET
ANN ETCHEVERRY FAMILY, LP, a
Nevada registered foreign limited partnership,
Appellants,

v.

THE STATE OF NEVADA STATE
ENGINEER; THE STATE OF NEVADA
DIVISION OF WATER RESOURCES; and
KOBEL VALLEY RANCH, LLC, a Nevada
limited liability company,
Respondents.

Case No. 61324

MICHEL AND MARGARET ANN
ETCHEVERRY FAMILY, LP, a Nevada
registered foreign limited partnership;
DIAMOND CATTLE COMPANY, LLC, a
Nevada limited liability company; and,
KENNETH F. BENSON, individually,
Appellants,

v.

STATE ENGINEER, OF NEVADA, OFFICE
OF THE STATE ENGINEER,
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES; and
KOBEL VALLEY RANCH, LLC, a Nevada
limited liability company,
Respondents.

**Case No. 63258
(Consolidated with
Case No. 61324)**

**APPELLANTS'
MOTION TO CONTINUE
ORAL ARGUMENT**

**On Appeal from the
Judgment of the Seventh
District Court of the State
of Nevada in and for the
County of Eureka, Case No.
CV-1207-178**

MOTION

Appellants MICHEL AND MARGARET ANN ETCHEVERRY FAMILY, LP, DIAMOND CATTLE COMPANY, LLC, and KENNETH F. BENSON (collectively referred to herein as “Appellants”), by and through their attorneys of record, Schroeder Law Offices, P.C., move the Court for an Order continuing the Oral Argument in the above entitled matter.

Currently, the Oral Argument is scheduled for May 6, 2014. The continuance is necessary because Laura A. Schroeder, lead counsel for Appellants, is scheduled to be out of the country from May 4, 2014 until May 25, 2014. Additionally, Laura A. Schroeder will be unavailable June 5, 2014, and June 10, 2014 through June 16, 2014. *See* Affidavit of Laura A. Schroeder filed currently herewith. Counsel for Appellants will be available at the Court’s convenience after such above referenced dates.

POINTS AND AUTHORITIES

The Nevada Supreme Court has inherent authority to manage its docket and continue hearings upon a party’s motion to the Court.

The Court, on February 27, 2014 filed a Notice of Oral Argument Setting, scheduling such Oral Argument for May 6, 2014. Nev. R. App. P. 34(a) provides that “[a] motion to postpone the argument must be filed reasonably in advance of the date fixed for hearing.”

Counsel for Appellants makes such motion upon the Court well in advance of the date Oral Argument is currently scheduled and notified the other parties that it would be filing this motion.

CONCLUSION

For the reasons stated above, Appellants respectfully move this Court for an order continuing Oral Argument to a later date.

DATED this 5th day of March, 2014.

SCHROEDER LAW OFFICES, P.C.

/s/ Laura A. Schroeder

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Kenneth F. Benson*

PROOF OF SERVICE

Pursuant to NRAP 25(d), I hereby certify that on the 5th day of March, 2014,
I caused a copy of the foregoing ***APPELLANTS' MOTION TO CONTINUE
ORAL ARGUMENT*** to be served on the following parties as outlined below:
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Dawn Ellerbrock
Neil Rombardo
Ross de Lipkau

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***VIA US MAIL, POSTAGE PRE-PAID
ADDRESSED AS FOLLOWS:***

William E. Nork, Settlement Judge
825 W. 12th Street
Reno, NV 89503

Dated this 5th day of March, 2014.

/s/ Therese A. Ure

THERESE A. URE, NSB# 10255

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