

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; 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 KOBEH VALLEY RANCH, LLC, a Nevada limited liability company,

Respondents.

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 KOBEH VALLEY RANCH, LLC, a Nevada limited liability company,

Respondents.

Case No. 61324

Electronically Filed
Mar 12 2014 09:59 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

**RESPONSE TO APPELLANTS'
MOTION TO CONTINUE
ORAL ARGUMENT**

Case No. 63258

(Consolidated with Case No. 61324)

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

Francis M. Wikstrom is lead counsel for Respondent Kobeh Valley Ranch, LLC, and will be arguing this matter. He is available on May 6, 2014, the date currently set for en banc oral argument.

If the Court is inclined to continue the hearing at the request of counsel for the Etcheverry Family, Mr. Wikstrom will not be available on June 3 or 4, the next dates indicated on the Court's calendar for en banc argument, because he is scheduled to be in Washington, D.C., in connection with the annual Supreme Court Historical Society meeting and dinner.

Mr. Wikstrom is available on June 30, July 1, or July 2, the next dates scheduled for en banc argument on the Court's calendar.

DATED: March 11, 2014.

PARSONS BEHLE & LATIMER

By: 
Ross E. de Lipkau, NV Bar No. 1628
John R. Zimmerman, NV Bar No. 9729
50 W. Liberty St., Suite 750
Reno, NV 89501
Telephone: 775.323.1601

Francis M. Wikstrom, Esq.
Pro Hac Vice
Utah Bar No. 3462
201 South Main St., Suite 1800
Salt Lake City, UT 84111
Telephone: 801.532.1234

*Attorneys for Respondent,
Kobeh Valley Ranch, LLC.*

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(d), I hereby certify that I am an employee of Parsons Behle & Latimer, and that on this 11th day of March, 2014, I served a true and correct copy of the foregoing **RESPONSE TO APPELLANTS' MOTION TO CONTINUE ORAL ARGUMENT** to be served on the following parties as outlined below:

Via Court's Eflex Electronic Filing System:

Jessica Prunty
Cassandra Joseph
Dana Walsh
Gary Kvistad
Bradford Jerbic
Daniel Polsenberg
Bradley Herrema
Michael Pagni
Jeffrey Barr
Debbie Leonard
Laura Schroeder
Dale E. Ferguson
Gordon H. DePaoli
Josh Reid
Theodore Beutel
Karen Peterson
Bryan Stockton
Therese Ure
Francis Flaherty
Paul Taggart
Michael Rowe
Gregory Walch
James Erbeck

Jennifer Mahe
Dawn Ellerbrock
Neil Rombardo

By U.S. Mail Only:

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



Employee of Parsons Behle & Latimer