

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

**JUDGMENT**

Supreme Court No. 20210258  
McKenzie County Case No. 2012-PR-00293

Appeal from the district court for McKenzie County.

**In the Matter of the Rose Henderson Peterson Mineral Trust dated March 26, 1987**

**Lyle M. Henderson, Clifford Henderson,  
Herbert Henderson, Emmalee McKenzie, and  
Dixie J. Henderson,**

**Petitioners  
and Appellees**

v.

**Dennis Henderson and James Henderson,  
individually and as co-trustees  
of the Rose Henderson Peterson Mineral Trust,**

**Respondents  
and Appellants**

and

**Donna Foreman, Patsy Gabbert, Kimber Henderson,  
Larry Henderson, Lyleen Henderson, and  
Penny Pitman,**

**Interested Parties**

¶1 This appeal having been considered by the Court at the March 2022 Term before:

¶2 Chief Justice Jon J. Jensen, Justice Gerald W. VandeWalle, Justice Daniel J. Crothers, Justice Lisa Fair McEvers, and Justice Jerod E. Tufte;

¶3 and the Court having considered the appeal, it is ORDERED AND ADJUDGED that the order after remand and judgment of the district court are AFFIRMED under N.D.R.App.P. 35.1(a)(2).

¶4 IT IS FURTHER ORDERED AND ADJUDGED that the Appellees have and recover from the Appellants costs and disbursements on this appeal under N.D.R.App.P. 39, to be taxed and allowed in the court below.

¶5 This judgment, together with the opinion of the Court filed this date, constitutes the mandate of the Supreme Court on the date it is issued to the district court under N.D.R.App.P. 41.

Dated: September 15, 2022

By the Court:

ATTEST:

Petra H. Mandigo Hulm  
Clerk



Jon J. Jensen  
Chief Justice