

**Filed 10/28/14 by Clerk of Supreme Court**  
**IN THE SUPREME COURT**  
**STATE OF NORTH DAKOTA**

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2014 ND 185

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Lawrence A. Hamilton,  
Philip B. Hamilton and Judy H. Casper,

Plaintiffs and Appellees

v.

Larry G. Woll, Cynthia J. Woll, Tracy J Holiday,  
Robert V. Holiday, Philip Knolyn Hatch II,  
Jacki DeMay, R. Craig Woll, Dorothy Jean Griswold,  
Russell Rapp, Jeffery R. Carius, Michael Carius,  
Mark S. Rapp, Tandals Farm Inc., James H. Bragg,  
Julie K. McKinley, J. Michael Gleason  
dba Gleason Land Co., Strata Minerals, Inc.,  
Frances A. Hannifin, Alan R. Hannifin,  
Desert Partners II L.P., Value Petroleum Inc.,  
J. Kyle Jones, Margaret J. Hannifin,  
Fall River Resources, Chatfield Company,  
Walter E. Opper, Emma Smart, John M. Schattyn,  
Lloyd S. Schattyn, Noel L. Schattyn Soren,  
Avalon North LLC, Dakota West Energy LLC,  
Ronald Rowland, Lee LaBarre, Terry Aronson,  
Burlington Resources Oil & Gas Company LP;  
Peyton Woll, Jr., Trust dated June 8, 1993,  
Peyton H. Woll, Trustee, Dana G. Woll,  
Successor Trustee; John H. Woll and  
Dorothea E. Woll, Trustees of the  
John & Dorothea Woll Trust Agreement  
dated 1-31-90; Helen F. Rapp, Trustee of the  
Helen F. Rapp Declaration of Trust dated  
8-17-2004; Alvin C. Schopp, Trustee; and all  
other persons unknown claiming any estate  
or interest in or lien or encumbrance upon  
the property described in the Complaint,

Defendants

Ronald Rowland,

Appellant

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No. 20140011

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Appeal from the District Court of Bowman County, Southwest Judicial  
District, the Honorable Dann E. Greenwood, Judge.

AFFIRMED.

Per Curiam.

Michael J. Maus, P.O. Box 570, Dickinson, N.D. 58602-0570, for plaintiffs and appellees.

Steven A. Lutt (argued) and Scott M. Knudsvig (on brief), P.O. Box 1000, Minot, N.D. 58702-1000, for appellant.

**Hamilton v. Woll**

**No. 20140011**

**Per Curiam.**

[¶1] Ronald Rowland appeals from a judgment entered after a bench trial declaring that deeds executed by Finlay Hamilton in the 1950s for certain Bowman County property conveyed royalty interests and not mineral interests and quieting title to the disputed mineral interests to Finlay Hamilton’s descendants, Lawrence Hamilton, Philip Hamilton, and Judy Casper. See Hamilton v. Woll, 2012 ND 238, ¶ 1, 823 N.W.2d 754 (reversing summary judgment and remanding for trial on disputed issues of fact about Finlay Hamilton’s intent). Rowland argues the district court clearly erred in determining Finlay Hamilton would not have used the term royalty in the deeds if he intended to convey mineral interests and the district court erred in failing to apply North Dakota rules of contract interpretation in interpreting the deeds to convey only royalty interests and not mineral interests. We affirm under N.D.R.App.P. 35.1(a)(2).

[¶2] Gerald W. VandeWalle, C.J.  
Dale V. Sandstrom  
Daniel J. Crothers  
Lisa Fair McEvers  
Carol Ronning Kapsner