

1 provided, that operations hereunder as to any such participating 1
2 area or areas shall not be affected by such surrender. 2
3 For any period the working interest in any lands are not ex- 3
4 pressly committed to the Unit Operating Agreement as the result of 4
5 any such surrender or forfeiture, the benefits and obligations of 5
6 operations accruing to such lands under this agreement and the Unit 6
7 Operating Agreement shall be shared by the remaining owners of 7
8 unitized working interests in accordance with their respective 8
9 participating working interest ownerships in any such participating 9
10 area or areas, and such owners of working interests shall compensate 10
11 the fee owner of unitized substances in such lands by paying sums 11
12 equal to the rentals, minimum royalties, and royalties applicable 12
13 to such lands under the lease in effect when the lands were unitized, 13
14 as to such participating area or areas. 14
15 Upon commitment of a working interest to this agreement 15
16 and the Unit Operating Agreement as provided in this section, an 16
17 appropriate accounting and settlement shall be made, to reflect the 17
18 retroactive effect of the commitment, for all benefits accruing to 18
19 or payments and expenditures made or incurred on behalf of such 19
20 surrendered working interest during the period between the date of 20
21 surrender and the date of recommitment, and payment of any moneys 21
22 found to be owing by such an accounting shall be made as between the 22
23 parties then signatory to the Unit Operating Agreement and this 23
24 agreement within thirty (30) days after the recommitment. The 24
25 right to become a party to this agreement and the Unit Operating 25
26 Agreement as a Working Interest Owner by reason of a surrender or 26
27 forfeiture as provided in this section shall not be defeated by the 27
28 nonexistence of a unit operating agreement and in the event no unit 28
29 operating agreement is in existence and a mutually acceptable agree- 29
30 ment between the proper parties thereto cannot be consummated, the 30
31 Supervisor may prescribe such reasonable and equitable agreement 31
32 as he deems warranted under the circumstances. 32