

1 (e) Notwithstanding any prior elimination under the "Drilling to Discovery"
2 section hereof, all legal subdivisions of unitized lands (i.e., 40 acres by Govern-
3 ment survey or its nearest lot or tract equivalent in instances of irregular
4 surveys, however, unusually large lots or tracts shall be considered in multiples
5 of 40 acres, or the nearest aliquot equivalent thereof, for the purpose of elimina-
6 tion under this subsection), no parts of which are entitled to be in a participating
7 area within 5 years after the first day of the month following the effective date
8 of the first initial participating area established under this Unit Agreement, shall
9 be eliminated automatically from this agreement, effective as of the first day
10 thereafter, and such lands shall no longer be a part of the Unit Area and shall no
11 longer be subject to this agreement, unless at the expiration of said 5 year
12 period diligent drilling operations are in progress on unitized lands not entitled
13 to participation, in which event all such lands shall remain subject hereto for so
14 long as such drilling operations are continued diligently, with not more than 90
15 days' time elapsing between the completion of one such well and the commence-
16 ment of the next such well, except that the time allowed between such wells shall
17 not expire earlier than 30 days after the expiration of any period of time during
18 which drilling operations are prevented by a matter beyond the reasonable con-
19 trol of Unit Operator as set forth in the section hereof entitled "Unavoidable
20 Delay"; provided that all legal subdivisions of lands not in a participating area
21 and not entitled to become participating under the applicable provisions of this
22 agreement within 10 years after said first day of the month following the effective
23 date of said first initial participating area shall be eliminated as above specified.
24 Determination of creditable "Unavoidable Delay" time shall be made by Unit
25 Operator and subject to approval of the Director. The Unit Operator shall,
26 within 90 days after the effective date of any elimination hereunder, describe
27 the area so eliminated to the satisfaction of the Director and promptly notify
28 all parties in interest.

29 If conditions warrant extension of the 10 year period specified in this
30 subsection 2(e), a single extension of not to exceed 2 years may be accom-
31 lished by consent of the owners of 90% of the current unitized working interests
32 and 60% of the current unitized basic royalty interests (exclusive of the basic
33 royalty interests of the United States), on a total-nonparticipating-acreage basis,