1 in paying quantities and the percentage of allocation shall   1

2 also be revised accordingly. The effective date of any revis-   2

3 ion shall be the first of the month in which is obtained the   3

4 knowledge or information on which such revision is predicated,   4

5 provided, however, that a more appropriate effective date may   5

6 be used if justified by the Unit Operator and approved by the   6

7 Director. No land shall be excluded from a participating area   7

8 on account of depletion of the unitized substances.   8

9   It is the intent of this section that a participating   9

10 area shall represent the area known or reasonably estimated to   10

11 be productive in paying quantities; but, regardless of any   11

12 revision of the participating area, nothing herein contained   12

13 shall be construed as requiring any retroactive adjustment for   13

14 production obtained prior to the effective date of the revision   14

15 of the participating area.   15

16   In the absence of agreement at any time between the   16

17 Unit Operator and the Director as to the proper definition or   17

18 redefinition of a participating area, or until a participating   18

19 area has, or areas have, been established as provided herein,   19

20 the portion of all payments affected thereby may be impounded   20

21 in a manner mutually acceptable to the owners of working inter-   21

22 ests, except royalties due the United States, which shall be   22

23 determined by the Supervisor and the amount thereof deposited,   23

24 as directed by the Supervisor, to be held as unearned money   24

25 until a participating area is finally approved and then   25

26 applied as earned or returned in accordance with a determina-   26

27 tion of the sum due as Federal royalty on the basis of such   27

28 approved participating area.   28

29   Whenever it is determined, subject to the approval of   29

30 the Supervisor, that a well drilled under this agreement is   30

31 not capable of production in paying quantities and inclusion   31

32 of the land on which it is situated in a participating area is   32