

1 of this agreement as to any part thereof or any oil or gas deposits 1
2 therein not then included within a participating area. 2

3 If the fee owner of the unitized substances does not execute this 3
4 agreement and the unit operating agreement as a working interest owner or 4
5 again lease such lands as above provided with respect to each existing 5
6 participating area, within six (6) months after any such surrender or 6
7 forfeiture, such fee owner shall be deemed to have waived the right to 7
8 execute the unit operating agreement or lease such lands as to each such 8
9 participating area, and to have agreed, in consideration for the compen- 9
10 sation hereinafter provided, that operations hereunder as to any such 10
11 participating area or areas shall not be affected by such surrender. 11

12 For any period the working interest in any lands are not expressly 12
13 committed to the unit operating agreement as the result of any such sur- 13
14 render or forfeiture, the benefits and obligations of operations accruing 14
15 to such lands under this agreement and the unit operating agreement shall 15
16 be shared by the remaining owners of unitized working interests in accord- 16
17 ance with their respective participating working interest ownerships in 17
18 any such participating area or areas, and such owners of working interests 18
19 shall compensate the fee owner of unitized substances in such lands by 19
20 paying sums equal to the rentals, minimum royalties, and royalties ap- 20
21 plicable to such lands under the lease in effect when the lands were 21
22 unitized, as to such participating area or areas. 22

23 Upon commitment of a working interest to this agreement and the unit 23
24 operating agreement as provided in this section, an appropriate accounting 24
25 and settlement shall be made, to reflect the retroactive effect of the 25
26 commitment, for all benefits accruing to or payments and expenditures 26
27 made or incurred on behalf of such surrendered working interest during 27
28 the period between the date of surrender and the date of recommitment, 28
29 and payment of any moneys found to be owing by such an accounting shall be 29
30 made as between the parties then signatory to the unit operating agree- 30
31 ment and this agreement within thirty (30) days after the recommitment. 31
32 The right to become a party to this agreement and the unit operating 32
33 agreement as a working interest owner by reason of a surrender or for- 33
34 feiture as provided in this section shall not be defeated by the non- 34