

1	28. NON-JOINDER AND SUBSEQUENT JOINDER. If the owner of any sub-	1
2	stantial interest in a tract within the unit area fails or refuses to sub-	2
3	scribe or consent to this agreement, the owner of the working interest in	3
4	that tract may withdraw said tract from this agreement by written notice	4
5	to the Director and the Unit Operator prior to the approval of this agree-	5
6	ment by the Director. Any oil or gas interests in lands within the unit	6
7	area not committed hereto prior to submission of this agreement for final	7
8	approval may thereafter be committed hereto by the owner or owners there-	8
9	of subscribing or consenting to this agreement, and, if the interest is a	9
10	working interest, by the owner of such interest also subscribing to the	10
11	unit operating agreement. After operations are commenced hereunder, the	11
12	right of subsequent joinder, as provided in this section, by a working in-	12
13	terest owner is subject to such requirements or approvals, if any, pertain-	13
14	ing to such joinder, as may be provided for in the unit operating agreement.	14
15	After final approval hereof joinder by a non-working interest owner must be	15
16	consented to in writing by the working interest owner committed hereto and	16
17	responsible for the payment of any benefits that may accrue hereunder in	17
18	behalf of such non-working interest. Joinder by any owner of a non-working	18
19	interest, at any time, must be accompanied by appropriate joinder by the	19
20	owner of the corresponding working interest in order for the interest to	20
21	be regarded as effectively committed hereto. Joinder to the unit agreement	21
22	by a working-interest owner, at any time, must be accompanied by appropriate	22
23	joinder to the unit operating agreement, if more than one committed working-	23
24	interest owner is involved, in order for the interest to be regarded as	24
25	effectively committed to this unit agreement. Except as may otherwise	25
26	herein be provided subsequent joinders to this agreement shall be effec-	26
27	tive as of the first day of the month following the filing with the Super-	27
28	visor of duly executed counterparts of all or any papers necessary to	28
29	establish effective commitment of any tract to this agreement unless ob-	29
30	jection to such joinder is duly made within 60 days by the Director.	30
31	29. COUNTERPARTS. This agreement may be executed in any number	31
32	of counterparts no one of which needs to be executed by all parties or	32
33	may be ratified or consented to by separate instrument in writing specifical	33
34	ly referring hereto and shall be binding upon all those parties who have	34
35	executed such a counterpart, ratification, or consent hereto with the same	35
36	force and effect as if all such parties had signed the same document and	36
37	regardless of whether or not it is executed by all other parties owning or	37
38	claiming an interest in the lands within the above-described unit area.	38
39	30. SURRENDER. Nothing in this agreement shall prohibit the	39
40	exercise by any working interest owner of the right to surrender vested	40
41	in such party in any lease, sub-lease, or operating agreement as to all	41
42	or any part of the lands covered thereby, provided that each party who	42
43	will or might acquire such working interest by such surrender or by for-	43
44	feiture as hereafter set forth, is bound by the terms of this agreement.	44
45	If as a result of any such <u>surrender</u> , the working interest rights	45
46	as to such lands become vested in any party other than the fee owner of	46
47	the unitized substances, said party shall forfeit such rights and no fur-	47
48	ther benefits from operation hereunder as to said land shall accrue to	48
49	such party, unless within ninety (90) days thereafter said party shall	49
50	execute this agreement and the unit operating agreement as to the working	50
51	interest acquired through such surrender, effective as though such land	51
52	had remained continuously subject to this agreement and the unit operating	52
53	agreement. And in the event such agreements are not so executed, the party	53
54	next in the chain of title shall be and become the owner of such working	54
55	interest at the end of such ninety (90) day period, with the same force	55
56	and effect as though such working interest had been surrendered to such	56
57	party.	57
58	If as the result of any such surrender or forfeiture the working	58
59	interest rights as to such lands become vested in the fee owner of the	59
60	unitized substances, such owner may:	60
61	(1) Execute this agreement and the unit operating agreement	61
62	as a working interest owner, effective as though such land had	62
63	remained continuously subject to this agreement and the unit	63
64	operating agreement.	64
65	(2) Again lease such lands but only under the condition that	65
66	the holder of such lease shall within thirty (30) days after	66
67	such lands are so leased execute this agreement and the unit	67
68	operating agreement as to each participating area theretofore	68
69	established hereunder, effective as though such land had re-	69
70	mained continuously subject to this agreement and the unit	70
71	operating agreement.	71