

1 subject to this agreement and the unit operating agreement.

2 (2) Again lease such lands but only under the condition that the
3 holder of such lease shall within thirty (30) days after such lands are so
4 leased execute this agreement and the unit operating agreement as to each par-
5 ticipating area theretofore established hereunder, effective as though such
6 land had remained continuously subject to this agreement and the unit operating
7 agreement.

8 (3) Operate or provide for the operation of such land independently
9 of this agreement as to any part thereof or any oil or gas deposits therein not
10 then included within a participating area.

11 If the fee owner of the unitized substances does not execute this
12 agreement and the unit operating agreement as a working interest owner or again
13 lease such lands as above provided with respect to each existing participating
14 area, within six (6) months after any such surrender or forfeiture, such fee
15 owner shall be deemed to have waived the right to execute the unit operating
16 agreement or lease such lands as to each such participating area, and to have
17 agreed, in consideration for the compensation hereinafter provided, that
18 operations hereunder as to any such participating area or areas shall not be
19 affected by such surrender.

20 For any period the working interest in any lands are not expressly
21 committed to the unit operating agreement as the result of any such surrender
22 or forfeiture, the benefits and obligations of operations accruing to such
23 lands under this agreement and the unit operating agreement shall be shared
24 by the remaining owners of unitized working interests in accordance with their
25 respective participating working interest ownerships in any such participating
26 area or areas, and such owners of working interests shall compensate the fee
27 owner of unitized substances in such lands by paying sums equal to the rentals,
28 minimum royalties, and royalties applicable to such lands under the lease in
29 effect when the lands were unitized, as to such participating area or areas.

30 Upon commitment of a working interest to this agreement and the
31 unit operating agreement as provided in this section, an appropriate accounting
32 and settlement shall be made, to reflect the retroactive effect of the com-
33 mitment, for all benefits accruing to or payments and expenditures made or