

Grantee, or its lessees shall have the right to abandon such well.

For all purposes of this Section 10,

(1) a well shall be deemed capable of producing Hydrocarbons "in paying quantities" unless and until there arises a condition, which reasonably appears to be permanent, such that the aggregate value of the Subject Hydrocarbons which are being produced or will be produced from such well no longer exceeds or will not exceed the costs and expenses directly related to the operation and maintenance of such well (excluding office and management overhead and similar charges) and

(2) the restoration of the productivity of a well or the drilling of a well shall be deemed to be "economically feasible" whenever the aggregate value of the Subject Hydrocarbons, which it reasonably appears will be produced from such well will exceed the costs and expenses directly related to such restoration or drilling and the operation and maintenance of such well (excluding office and management overhead and similar charges).

Section 11. Pooling and Unitization. Grantee shall not have the right to pool or unitize any of the Subject Interests without the consent of the Owner of the Production Payment. However, to the extent that the Subject Interests are presently pooled or unitized, Grantee shall have the right so to pool, and this conveyance is made expressly subject to the agreement pooling the Subject Interests. With respect to any pooling or unitization to which the Owner of the Production Payment may consent, the Hydrocarbons produced from any unit so formed shall be allocated among the separately owned tracts or interests comprising the unit in proportion to the respective surface areas thereof. Any unit so formed may relate to one or more zones or horizons, and a unit formed for a particular zone or horizon need not conform in area to any other unit relating to a different zone or horizon, and a unit formed for