

PROVIDED FURTHER, that should said well not be drilled to completion, or abandonment, within ⁹⁰120 days after commencement thereof, said operator shall appear before the Division Director and show cause why Order (1) of this order should not be rescinded.

PROVIDED FURTHER, that the operator of the SE/4 SE/4 of said Section 6 shall, within 60 day after putting the aforesaid Rushing "NJ" Well No. 1 on production, commence the drilling of a well thereon, being the Rushing "NJ" Well No. 2, and shall thereafter continue the drilling of said well with due diligence to a depth sufficient to test the Yesso formation.

PROVIDED FURTHER, that in the event said operator does not commence said Rushing "NJ" Well No. 2 within said 60-day period, Order (1) of this order shall be null and void and of no effect whatsoever with respect to the SE/4 SE/4 of Section 6, Township 19 South, Range 25 East, NMPM, unless said operator obtains a time extension from the Division for good cause shown.

PROVIDED FURTHER, that should ~~not~~ said well not be drilled to completion, or abandonment, within 90 ~~no~~ days after the commencement thereof, said operator shall appear before the Division Director and show cause why Order (1) of this order should not be rescinded with respect to the SE/4 SE/4 of said Section 6.

(2) That Yates Petroleum Corporation is hereby designated the operator of the subject wells and units.

(3) That after the effective date of this order and within ^{each of} 90 days prior to commencing said wells, the operator shall furnish the Division and each known working interest owner in the ^{appropriate} ~~subject~~ 40-acre unit an itemized schedule of estimated well costs.

(4) That within 30 days from the date the schedule of estimated well costs is furnished to him, any non-consenting working interest owner ^{within that particular well's unit} shall have the right to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production, and that any such owner who pays his share of estimated well costs as provided above shall remain liable for operating costs but shall not be liable for risk charges.

(5) That the operator shall furnish the Division and each known working interest owner ^{within the applicable 40-acre unit} an itemized schedule of actual well costs within 90 days following completion of the well; that if no objection to the actual well costs is received by the Division and the Division has not objected within 45 days following receipt of said schedule, the actual well costs shall be the reasonable well costs; provided however, that if there is an objection to actual well costs within said 45-day period the Division will determine reasonable well costs after public notice and hearing.

(6) That within 60 days following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs in advance as provided