

API No. 42-317-43700		RAILROAD COMMISSION OF TEXAS OIL & GAS DIVISION  APPLICATION FOR PERMIT TO DRILL, RECOMPLETE, OR RE-ENTER <i>This facsimile W-1 was generated electronically from data submitted to the RRC. A certification of the automated data is available in the RRC's Austin office.</i>				FORM W-1 07/2004			
Drilling Permit # 871518 SWR Exception Case/Docket No. 0330907 (R37)						Permit Status: Approved			
1. RRC Operator No. 217012		2. Operator's Name (as shown on form P-5, Organization Report) DIAMONDBACK E&P LLC			3. Operator Address (include street, city, state, zip): 500 W TEXAS AVE STE 1200 MIDLAND, TX 79701-4203				
4. Lease Name UL MOCKINGBIRD 13-2 A		5. Well No. 1JM							
GENERAL INFORMATION									
6. Purpose of filing (mark ALL appropriate boxes): <input checked="" type="checkbox"/> New Drill <input type="checkbox"/> Recompletion <input type="checkbox"/> Reclass <input type="checkbox"/> Field Transfer <input type="checkbox"/> Re-Enter <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Amended as Drilled (BHL) (Also File Form W-1D)									
7. Wellbore Profile (mark ALL appropriate boxes): <input type="checkbox"/> Vertical <input checked="" type="checkbox"/> Horizontal (Also File Form W-1H) <input type="checkbox"/> Directional (Also File Form W-1D) <input type="checkbox"/> Sidetrack									
8. Total Depth 9010		9. Do you have the right to develop the minerals under any right-of-way ? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		10. Is this well subject to Statewide Rule 36 (hydrogen sulfide area)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
SURFACE LOCATION AND ACREAGE INFORMATION									
11. RRC District No. 08		12. County MARTIN		13. Surface Location <input checked="" type="checkbox"/> Land <input type="checkbox"/> Bay/Estuary <input type="checkbox"/> Inland Waterway <input type="checkbox"/> Offshore					
14. This well is to be located 30.5 miles in a NW direction from STANTON which is the nearest town in the county of the well site.									
15. Section 16		16. Block 7	17. Survey UL		18. Abstract No. A-U22	19. Distance to nearest lease line: ft.		20. Number of contiguous acres in lease, pooled unit, or unitized tract: 640	
21. Lease Perpendiculars: 1162 ft from the WEST line and 1423 ft from the NORTH line.									
22. Survey Perpendiculars: 1162 ft from the WEST line and 1423 ft from the NORTH line.									
23. Is this a pooled unit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		24. Unitization Docket No:		25. Are you applying for Substandard Acreage Field? <input type="checkbox"/> Yes    (attach Form W-1A) <input checked="" type="checkbox"/> No					
FIELD INFORMATION    List all fields of anticipated completion including Wildcat. List one zone per line.									
26. RRC District No.	27. Field No.	28. Field Name (exactly as shown in RRC records)			29. Well Type	30. Completion Depth	31. Distance to Nearest Well in this Reservoir	32. Number of Wells on this lease in this Reservoir	
08	85280300	SPRABERRY (TREND AREA)			Oil Well	9010	54.00	4	
BOTTOMHOLE LOCATION INFORMATION is required for DIRECTIONAL, HORIZONTAL, AND AMENDED AS DRILLED PERMIT APPLICATIONS (see W-1H attachment)									
Remarks See W1 Comments attached					Certificate: I certify that information stated in this application is true and complete, to the best of my knowledge. Suzanne Dorchester, Regulatory Analyst Name of filer Oct 04, 2021 Date submitted				
					(432)2217433 Phone SDorchester@DiamondbackEnergy.com E-mail Address (OPTIONAL)				
RRC Use Only					Data Validation Time Stamp: Oct 11, 2021 3:03 PM( Current Version )				

Permit Status: <b>Approved</b>  <i>The RRC has not approved this application. Duplication or distribution of information is at the user's own risk.</i>
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**RAILROAD COMMISSION OF TEXAS  
OIL & GAS DIVISION**

**APPLICATION FOR PERMIT TO DRILL, RECOMPLETE, OR RE-ENTER**

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Permit #	871518
Approved Date:	Oct 11, 2021

1. RRC Operator No. <b>217012</b>	2. Operator's Name (exactly as shown on form P-5, Organization Report) <b>DIAMONDBACK E&amp;P LLC</b>	3. Lease Name <b>UL MOCKINGBIRD 13-2 A</b>	4. Well No. <b>1JM</b>
<b>Lateral Drainhole Location Information</b>			
5. Field as shown on Form W-1 <b>SPRABERRY (TREND AREA) (Field # 85280300, RRC District 08)</b>			
6. Section <b>2</b>	7. Block <b>7</b>	8. Survey <b>UL /A-U16</b>	9. Abstract
		10. County of BHL <b>MARTIN</b>	
11. Terminus Lease Line Perpendiculars <b>550</b> ft. from the <b>West</b> line. and <b>50</b> ft. from the <b>North</b> line			
12. Terminus Survey Line Perpendiculars <b>550</b> ft. from the <b>West</b> line. and <b>50</b> ft. from the <b>North</b> line			
13. Penetration Point Lease Line Perpendiculars <b>1162</b> ft. from the <b>West</b> line. and <b>1423</b> ft. from the <b>NORTH</b> line			

Permit Status: **Approved**

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**W-1 Comments**

Permit # **871518**

Approved Date: **Oct 11, 2021**

[ Sep 30, 2021 4:04 PM]: Commission Staff expresses no opinion as to whether a 100% ownership interest in each of the leases alone or in combination with a "production sharing agreement" confers the right to drill across lease/unit lines or whether a pooling agreement is also required. However, until that issue is directly addressed and ruled upon by a Texas court of competent jurisdiction it appears that a 100% interest in each of the leases and a production sharing agreement constitute a sufficient colorable claim to the right to drill a horizontal well as proposed to authorize the removal of the regulatory bar and the issuance of a drilling permit by the Commission, assuming the proposed well is in compliance with all other relevant Commission requirements.

Issuance of the permit is not an endorsement or approval of the applicant's stated method of allocating production proceeds among component leases or units. All production must be reported to the Commission as production from the lease or pooled unit on which the wellhead is located and reported production volume must be determined by actual measurement of hydrocarbon volumes prior to leaving that tract and may not be based on allocation or estimation. Payment of royalties is a contractual matter between the lessor and lessee. Interpreting the leases and determining whether the proposed proceeds allocation comports with the relevant leases is not a matter within Commission jurisdiction but a matter for the parties to the lease and, if necessary, a Texas court of competent jurisdiction.

The foregoing statements are not, and should not be construed as, a final opinion or decision of the Railroad Commission.; [FILER Oct 4, 2021 2:34 PM]: Permit needed to be amended due to SHL moving.; [RRC STAFF Oct 8, 2021 4:04 PM]: Changed well count per RRC records.; [RRC STAFF Oct 11, 2021 9:14 AM]: WELL COUNT CHANGED TO MATCH ORIGINAL APPROVAL FOR THIS AMENDMENT PER RRC RECORDS. ACREAGE AND FIELD DID NOT CHANGE.

## PERMIT TO DRILL, DEEPEN, PLUG BACK, OR RE-ENTER ON A REGULAR OR ADMINISTRATIVE EXCEPTION LOCATION

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**RAILROAD COMMISSION OF TEXAS**  
**OIL & GAS DIVISION**

PERMIT TO DRILL, DEEPEN, PLUG BACK, OR RE-ENTER ON A REGULAR OR ADMINISTRATIVE EXCEPTION LOCATION

PERMIT NUMBER <div style="text-align: right;">871518</div>	DATE PERMIT ISSUED OR AMENDED (AMENDED)    Oct 11, 2021	DISTRICT <div style="text-align: right;">*    08</div>
API NUMBER <div style="text-align: right;">42-317-43700</div>	FORM W-1 RECEIVED <div style="text-align: center;">Oct 04, 2021</div>	COUNTY <div style="text-align: center;">MARTIN</div>
TYPE OF OPERATION <div style="text-align: center;">NEW DRILL</div>	WELLBORE PROFILE(S) <div style="text-align: center;">Horizontal</div>	ACRES <div style="text-align: center;">640</div>
OPERATOR <div style="text-align: right;">217012</div> <div style="text-align: center;"> <b>DIAMONDBACK E&amp;P LLC</b>  <b>500 W TEXAS AVE STE 1200</b>  <b>MIDLAND, TX 79701-4203</b> </div>		NOTICE This permit and any allowable assigned may be revoked if payment for fee(s) submitted to the Commission is not honored. <b>District Office Telephone No:</b> <div style="text-align: center;">(432) 684-5581</div>
LEASE NAME <div style="text-align: center;">UL MOCKINGBIRD 13-2 A</div>		WELL NUMBER <div style="text-align: center;">1JM</div>
LOCATION <div style="text-align: center;">30.5 miles NW direction from STANTON</div>		TOTAL DEPTH <div style="text-align: center;">9010</div>
Section, Block and/or Survey <div style="display: flex; justify-content: space-between;"> <div>SECTION    16</div> <div>BLOCK    7</div> <div>ABSTRACT    U22</div> </div> <div style="display: flex; justify-content: space-between;"> <div>SURVEY    UL</div> </div>		
DISTANCE TO SURVEY LINES <div style="display: flex; justify-content: space-around;"> <div>1162 ft. WEST</div> <div>1423 ft. NORTH</div> </div>		DISTANCE TO NEAREST LEASE LINE <div style="text-align: center;">ft.</div>
DISTANCE TO LEASE LINES <div style="display: flex; justify-content: space-around;"> <div>1162 ft. WEST</div> <div>1423 ft. NORTH</div> </div>		DISTANCE TO NEAREST WELL ON LEASE <div style="text-align: center;">See FIELD(s) Below</div>
FIELD(s) and LIMITATIONS: <div style="text-align: center; margin-top: 20px;">           *    SEE FIELD DISTRICT FOR REPORTING PURPOSES    *            **    THIS PERMIT IS GRANTED PURSUANT TO STATEWIDE RULE 37(h)(2)(B)    **            CASE NO. 0330907         </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>           FIELD NAME            LEASE NAME         </div> <div>           ACRES            NEAREST LEASE         </div> <div>           DEPTH            NEAREST WE         </div> <div>           WELL #            NEAREST WE         </div> <div>           DIST         </div> </div> <p>This well must comply to the new SWR 3.13 requirements concerning the isolation of any potential flow zones and zones with corrosive formation fluids. See approved permit for those formations that have been identified for the county in which you are drilling the well in.</p>		

**RAILROAD COMMISSION OF TEXAS  
OIL & GAS DIVISION  
SWR #13 Formation Data**

**MARTIN (317) County**

Formation	Remarks	Geological Order	Effective Date
SANTA ROSA		1	02/09/2020
YATES		2	02/09/2020
QUEEN		3	02/09/2020
GRAYBURG		4	02/09/2020
SAN ANDRES	active CO2 flood; high flows; H2S; corrosive	5	02/09/2020
SPRABERRY		6	02/09/2020
DEAN		7	02/09/2020
WOLFCAMP		8	02/09/2020
CISCO		9	02/09/2020
PENNSYLVANIAN		10	02/09/2020
STRAWN		11	02/09/2020
MISSISSIPPIAN		12	02/09/2020
DEVONIAN		13	02/09/2020
SILURIAN		14	02/09/2020
FUSSELMAN		15	02/09/2020
ELLENBURGER		16	02/09/2020
PRECAMBRIAN (UNDIFFERENTIATED)		17	02/09/2020

The above list may not be all inclusive, and may also include formations that do not intersect all wellbores. The listing order of the Formation information reflects the general stratigraphic order and relative geologic age. This is a dynamic list subject to updates and revisions. It is the operator's responsibility to make sure that at the time of spudding the well the most current list is being referenced. Refer to the RRC website at the following address for the most recent information.  
<http://www.rrc.texas.gov/oil-gas/compliance-enforcement/rule-13-geologic-formation-info>

