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2012 SEP -4 P 4: 00

September 4, 2012


Florene Davidson
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Case 14909

Dear Florene:

Enclosed for filing, on behalf of Diamondback Resources LLC, are an original and one copy of an application for compulsory pooling, *etc.*, together with a proposed advertisement. The advertisement has also been e-mailed to the Division. Please set the application for the October 4, 2012 Examiner hearing. Thank you.

Very truly yours,


James Bruce

Attorney for Diamondback Resources LLC

Parties Being Pooled

The Heirs or Devisees of John D. McCall, believed to be the following persons:

John D. McCall, Jr.
Thomas Screven McCall
Rebecca McCall Landis Baird
Mary Ellen Brownell
The Allar Co.
Randolph D. McCall

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

**APPLICATION OF DIAMONDBACK RESOURCES
LLC FOR A NON-STANDARD OIL SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

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Case No. 14909

APPLICATION

Diamondback Resources LLC applies for an order (i) approving a non-standard oil spacing and proration unit in the Bone Spring formation comprised of the N½S½ of Section 1, Township 19 South, Range 34 East, N.M.P.M., Lea County, New Mexico, and (ii) pooling all mineral interests in the Bone Spring formation underlying the non-standard unit, and in support thereof, states:

1. Applicant is an operator in the N½S½ of Section 1, and has the right to drill a well thereon.
2. Applicant proposes to drill its Mongoose Fee Well No. 1 to a depth sufficient to test the Bone Spring formation. Applicant seeks to dedicate the N½S½ of Section 1 to the well to form a non-standard 160 acre oil spacing and proration unit (project area) for all pools or formations developed on 40 or 80 acre spacing within that vertical extent. The well is a horizontal well, with a surface location in the NW¼SW¼, and a terminus in the NE¼SE¼, of Section 1.
3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the N½S½ of Section 1 for the purposes set forth herein.
4. Although applicant attempted to obtain voluntary agreements from all mineral interest owners to participate in the drilling of the well or to otherwise commit their interests to the well, certain interest owners have failed or refused to join in dedicating their interests.

Therefore, applicant seeks an order pooling all mineral interest owners in the N½S½ of Section 1, pursuant to NMSA 1978 §§70-2-17, 18.

5. Approval of the non-standard unit and the pooling of all mineral interests underlying the N½S½ of Section 1 will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

WHEREFORE, applicant requests that, after notice and hearing, the Division enter its order:

- A. Approving a non-standard oil spacing and proration unit (project area) in the Bone Spring formation comprised of the N½S½ of Section 1;
- B. Pooling all mineral interests in the Bone Spring formation underlying the N½S½ of Section 1;
- C. Designating applicant as operator of the well;
- D. Considering the cost of drilling and completing the well, and allocating the cost among the well's working interest owners;
- E. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and
- F. Setting a 200% charge for the risk involved in drilling and completing the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,



James Bruce
Post Office Box 1056
Santa Fe, New Mexico 87504
(505) 982-2043

Attorney for Diamondback Resources LLC

PROPOSED ADVERTISEMENT

Case No. 14909:

Application of Diamondback Resources LLC for approval of a non-standard oil spacing and proration unit and compulsory pooling, Lea County, New Mexico. Mewbourne Oil Company seeks an order approving a 160-acre non-standard oil spacing and proration unit (project area) in the Bone Spring formation comprised of the N/2S/2 of Section 1, Township 19 South, Range 34 East, NMPM. Applicant further seeks the pooling of all mineral interests in the Bone Spring formation underlying the N/2S/2 of Section 1 to form a non-standard 160 acre oil spacing and proration unit (project area) for all pools or formations developed on 40 or 80 acre spacing within that vertical extent. The unit will be dedicated to the Mongoose Fee Well No. 1, a horizontal well with a surface location in the NW/4SW/4, and a terminus in the NE/4SE/4, of Section 1. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 15 miles west-snorhwest of Monument, New Mexico.

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