

Part II Organizational Action (continued)

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ► IRC Section 368(a)

18 Can any resulting loss be recognized? ► **For U.S. federal income tax purposes, QEP shareholders will generally not recognize any gain or loss as a result of the Merger, except that, to the extent cash was received in lieu of fractional shares of Diamondback Common Stock, any such shareholders should generally be treated as having received such fractional share of Diamondback Common Stock and then having sold such fractional share for cash. These holders should generally recognize gain or loss equal to the difference between the amount of cash received and the holder's basis in the fractional share of Diamondback Common Stock. The gain or loss generally should be long-term capital gain or loss if, as of the date of the Merger, the QEP shareholder's holding period with respect to the QEP Common Stock shares for which a fractional share of Diamondback Common stock was received exceeds one year.**

19 Provide any other information necessary to implement the adjustment, such as the reportable tax year ► **Not Applicable.**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here
 Signature ►  Date ► 3/22/21

Print your name ► **Teresa L. Dick** Title ► **Exec VP, CAO, and Assistant Secretary**

Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ►	Firm's EIN ►			
	Firm's address ►	Phone no.			