

Amendment to Industrial Water Supply Contract

The parties to this Amendment are Meridian Energy Group, Inc., 92 Corporate Park, Suite C-333, Irvine, CA 92606, a corporation organized under South Dakota law ("Meridian"), and the City of Dickinson, 38 1st St. West, Dickinson, ND, 58601, a political subdivision of the State of North Dakota and a municipal corporation under North Dakota law ("Dickinson" or "City").

WHEREAS, the Parties executed an Industrial Water Supply Contract on September 3, 2019 ("the Contract").

WHEREAS, since the execution of the Contract circumstances have changed requiring certain amendments to the Contract.

NOW THEREFORE, the Parties hereby agree and stipulate to the following amendments to the Contract:

1. In the first and second lines of Section 2.5.4 of the Contract and the first and fifth lines of Section 2.5.5 of the Contract, the phrase "400 gpm" shall be and hereby is replaced with the phrase "300 gpm".
2. The following sentence shall be and hereby is added at the end of Section 2.5.5 of the Contract:

Meridian will review its water requirements for the refinery and ancillary uses from time to time and will notify Dickinson if Meridian determines that an amendment to this contract reducing Meridian's Primary Water rights is appropriate in light of such review.

3. Section 6.3 of the Contact shall be and hereby is amended to read as follows:

For water used during the first two years of this agreement after connection is established and use begins, Meridian shall pay to Dickinson \$3.65 for every 1,000 gallons of industrial water delivered to Meridian for Meridian's primary water rights as set forth in Section 2.5.4 and 2.5.5 of this Contract. The rate will increase to \$3.90 for every 1,000 gallons of industrial water delivered for Meridian's primary water rights after year two and for the duration of this contract.

Except as expressly set forth in paragraphs 1-3, above, the Contract shall remain in full force and effect unamended.

City of Dickinson

Dated: _____, 2023

By: _____
Scott Decker, President
Board of City Commissioners

ATTEST:

By: _____
Dustin Dassinger
City Administrator

Meridian Energy Group, Inc.

Dated: _____, 2023

(type name) _____
