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## PRIVACY STATEMENT

Mesa Natural Gas Solutions, LLC. ("Mesa") wants you to be familiar with how we collect, use and disclose information. This Privacy Statement ("Statement") outlines what information Mesa will collect and how we will treat the information. Mesa offers a number of products and allows you to interact with Mesa and our products on a number of platforms. Reference to Mesa products or services in this policy includes Mesa websites, including [www.247mesa.com](http://www.247mesa.com), [odc.mesangs.com](http://odc.mesangs.com), [\\*.mesangs.com](http://*.mesangs.com), and apps (including Mesa Mobile App). For convenience, we refer to the combination of products, software, websites, apps, and services we provide to you as the "System."

This Statement applies to information we collect:

- a. Through the System.
- b. In e-mail, text, and other electronic messages between you and the System.
- c. Through mobile and desktop applications you download from the System, which provide dedicated non-browser-based interaction between you and the System.
- d. Through online product registrations, by phone, or other offline means through which you provide us information.

It does not apply to information collected:

Through any other means, including on any other website operated by any third party; or by any third party, including through any application or content (including advertising) that may link to or be accessible from the System.

This Statement does not address, and we are not responsible for, the privacy, information or other practices of any third parties, and the inclusion of a link on the System does not imply endorsement of the linked site or service by us or by our affiliates. In addition, we are not responsible for the information collection, use, disclosure, or security policies or practices of other organizations, such as Facebook, Apple, Google, Microsoft, RIM, or any other app developer, app provider, operating system provider, wireless service provider, or device manufacturer, including with respect to any Personal Information you disclose to other organizations through or in connection with our apps. Please read this Statement carefully to understand our policies and practices regarding your information and how we will treat it. This Statement may change from time to time. Your continued use of the System after we make changes is deemed to be acceptance of those changes, so please check the Statement periodically for updates.



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### **USE OF SYSTEM BY CHILDREN**

Our System is not intended for children under 18 years of age. We do not knowingly collect Personal Information from children under 18. If you are under 18, do not provide any information on the System or on or through any of its features, register on the System, make any purchases through the System, use any of the interactive or public comment features of the System or provide any information about yourself to us, including your name, address, telephone number, e-mail address or any screen name or username you may use. If we learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 16, please contact us.

### **PERSONAL INFORMATION WE COLLECT ABOUT YOU AND HOW WE COLLECT IT**

"Personal Information" is information that identifies you as an individual or relates to an identifiable individual. We collect several types of Personal Information from and about users of our System, including: name, postal address, e-mail address, telephone number, product information, age, income, credit and/or billing information.

We collect this Personal Information:

1. Directly from you when you voluntarily provide it to us through the System or offline, for example, when you sign up for a newsletter, register an account to access the System, make a purchase, place an order over the phone, contact customer service, or complete a customer survey.
2. From you via form fills on our System. This includes information provided at the time of posting material or requesting further services from Mesa or its distributors. We may also ask you for information, such as when you enter a contest or promotion sponsored by us or report a problem with our System.
3. From our business partners and other third parties, provided that such parties confirm to us that you have consented to the disclosure to Mesa of your Personal Information. We need to collect Personal Information in order to provide the requested services to you. If you do not provide the information requested, we may not be able to provide the services. If you disclose any Personal Information relating to other people to us or to our service providers in connection with the System, you represent that you have the authority to do so and to permit us to use the information in accordance with this Statement.

### **OTHER INFORMATION WE COLLECT THROUGH AUTOMATIC DATA COLLECTION TECHNOLOGIES.**

As you navigate through and interact with our System, we may use automatic data collection



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technologies to collect certain other information about your equipment, browsing actions, and patterns. "Other Information" is any information that does not reveal your specific identity or does not directly relate to an identifiable individual, including:

1. Details of your visits to our System, including traffic data, app usage data, and other communication data and the resources that you access and use on the System.
2. Information about your computer and internet connection, including your IP address, operating system, and browser type.

The Other Information we collect helps us to improve our System and products, and to deliver a better and more personalized service, including by enabling us to:

- a. Estimate our audience size and usage patterns.
- b. Store information about your preferences, allowing us to customize our System according to your individual interests.
- c. Speed up your searches.
- d. Recognize you when you return to our System.
- e. Improve our products.
- f. Improve our ability to service and sell our products.

If we are required to treat Other Information as Personal Information under applicable law, then we may use and disclose it for the purposes for which we use and disclose Personal Information as detailed in this Policy.

We may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. In some instances, we may combine Other Information with Personal Information. If we do, we will treat the combined information as Personal Information as long as it is combined.

#### **COLLECTION OF OTHER INFORMATION**

We and our service providers may collect Other Information in a variety of ways, including:

1. Through your browser or device  
Certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Mac), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type, and version and the name and version of the Services (such as the App) you are using. We use this information to ensure that the Services function properly.



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2. Through your use of apps

When you download and use apps, we and our service providers may track and collect app usage data, such as the date and time the app on your device accesses our servers and what information and files have been downloaded to the app based on your device number.

3. Cookies (or browser cookies) and web beacons

A cookie is a small file placed on the hard drive of your computer. Cookies are pieces of information stored directly on the computer that you are using. Cookies allow us to collect information such as browser type, time spent on the System, pages visited, language preferences, and other traffic data. We and our service providers use the information for security purposes, to facilitate navigation, to display information more effectively, and to personalize your experience. We also gather statistical information about use of the System in order to continually improve their design and functionality, understand how they are used, and assist us with resolving questions regarding them. Cookies further allow us to select which of our advertisements or offers are most likely to appeal to you and display them while you are on the System. We may also use cookies or other technologies in online advertising to track responses to our ads. We do not currently respond to browser do-not-track signals.

You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting, you may be unable to access certain parts of our System. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our System.

Pixel tags (also known as web beacons and clear GIFs) may be used to, among other things, track the actions of users of the System (including email recipients), measure the success of our marketing campaigns, and compile statistics about usage of the System and response rates. Mesa uses industry standard web analytics to track web visits, Google Analytics. The information generated by the cookie about your use of our System (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of our websites, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.

You may opt out of web analytics by installing these tools on your computer: [Google Analytics Opt Out Link](#).



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4. IP Address

Your IP address is automatically assigned to your computer by your Internet Service Provider. An IP address may be identified and logged automatically in our server log files whenever a user accesses the System, along with the time of the visit and the page(s) that were visited. Collecting IP addresses is standard practice and is done automatically by many websites, applications, and other services.

We use IP addresses for purposes such as calculating usage levels, diagnosing server problems, and administering the System. We may also derive your approximate location from your IP address.

5. Physical Location

We may collect the physical location of your device by, for example, using satellite, cell phone tower, or WiFi signals. We may use your device's physical location to provide you with personalized location-based services and content. We may also share your device's physical location, combined with information about what advertisements you viewed and other information we collect, with our marketing partners to enable them to provide you with more personalized content and to study the effectiveness of advertising campaigns. In some instances, you may be permitted to allow or deny such uses and/or sharing of your device's location, but if you do, we and/or our marketing partners may not be able to provide you with the applicable personalized services and content.

## HOW WE USE YOUR INFORMATION

We use Personal Information that we collect about you or that you provide to us for legitimate business purposes, including:

### Providing the functionality of the System and fulfilling your requests:

- a. To provide the System's functionality to you, such as arranging access to your registered account, and providing you with related customer service.
- b. To respond to your inquiries and fulfill your requests for information, products or services, such as when you contact us via one of our online contact forms or otherwise.
- c. To provide you with product-related information, including product registration, support, customized services, product documentation, and promotional materials.
- d. To complete your transactions and provide you with related customer service.



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- e. To send administrative information to you, such as changes to our terms, conditions, and policies, or to notify you about changes to our System or any products or services we offer or provide through it.

We will engage in these activities to manage our contractual relationship with you and/or to comply with a legal obligation.

**Providing you with our newsletter and/or other marketing materials.**

- a. To send you marketing related emails, with information about our services, new products and other news about our company.
- b. We will engage in this activity with your consent or where we have a legitimate interest.

**Analysis of Personal Information for business reporting and providing personalized services**

- a. To analyze or predict our users' preferences in order to prepare aggregated trend reports on how our digital content is used, so we can improve our System.
- b. To better understand you, so that we can personalize our interactions with you and provide you with information and/or offers tailored to your interests.
- c. To better understand your preferences so that we can deliver content via our Services that we believe will be relevant and interesting to you.

We will provide personalized services either with your consent or because we have a legitimate interest.

**Allowing you to participate in sweepstakes, contests or other promotions.**

We may offer you the opportunity to participate in sweepstakes, contests, or other promotions. Some of these promotions have additional rules containing information about how we will use and disclose your Personal Information. We use this information to manage our contractual relationship with you.

**Aggregating and/or anonymizing Personal Information.**

We may aggregate and/or anonymize Personal Information so that it will no longer be considered Personal Information. We do so to generate other data for our use, which



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we may use and disclose for any purpose.

**Accomplishing our business purposes.**

- a. For data analysis, for example, to improve the efficiency of our System.
- b. For audits, to verify that our internal processes function as intended and are compliant with legal, regulatory, or contractual requirements.
- c. For fraud and security monitoring purposes, for example, to detect and prevent cyberattacks or attempts to commit identity theft.
- d. To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- e. For developing new products and services and enhancing, improving, or modifying our current products and services.
- f. For determining the effectiveness of our promotional campaigns, so that we can adapt our campaigns to the needs and interests of our users.
- g. For operating and expanding our business activities, for example, understanding which parts of our System are of most interest to our users so we can focus our energies on meeting our users' interests.

We engage in these activities to manage our contractual relationship with you, to comply with a legal obligation, and/or because we have a legitimate interest.

**DISCLOSURE OF YOUR INFORMATION**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction. Sometimes we may “anonymize” consumer information by removing any identifier that can be associated with your Personal Information. Anonymous Personal Information helps us develop reports and analyses about how our customers use our System and for other research. We may publicly share or sell anonymous Personal Information and reports and analyses based on anonymous Personal Information. We may disclose aggregated, anonymous Personal Information, and analyses and reports derived from such information to third parties including our service providers, suppliers, advertisers, merchants, consumer and market research companies, and other organizations.

**We may disclose Personal Information that we collect, or you provide as described in this Statement:**

- a. To our subsidiaries and affiliates for the purposes described in this Statement.
- b. To contractors, authorized dealers, service providers and other third parties we use to support our business and who are bound by contractual obligations to keep Personal



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Information confidential and use it only for the purposes for which we disclose it to them. These can include providers of services such as product servicing, website hosting, data analysis, payment processing, order fulfillment, information technology and related infrastructure provision, customer service, email delivery, auditing, and other services.

- c. To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of Mesa's assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, in which Personal Information held by Mesa about our System users is among the assets transferred.
- d. To third-party sponsors of sweepstakes, contests and similar promotions.
- e. To third parties, to permit them to send you marketing communications, consistent with your choices.

You also may elect to provide Personal Information to be published or displayed (hereinafter, "posted") on public areas of the System or transmitted to other users of the System or third parties (collectively, "User Contributions"). Additionally, we cannot control the actions of other users of the System with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by the general public.

We may also use and disclose your Personal Information as necessary or appropriate, especially when we have a legal obligation or legitimate interest to do so:

- f. To cooperate with law enforcement, or to comply with any court order, law or legal process, including to respond to any government authority or regulatory request. This can include laws and authorities outside your country of residence.  
To enforce or apply our terms of use and other agreements, including for billing and collection purposes.

If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Mesa, our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

If the System is distributed by a dealer, contractor, retailer, or other third party and you share your Personal Information with such party, we cannot control and are not responsible for the collection, storage, disclosure, and use of your information by such party. If the System is provided through a third-party System provider, we may share





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Personal Information with the third-party System provider in accordance with your agreement with such third-party System provider. In some circumstances, we may share your Personal Information with third parties upon your request; in such event we cannot control and are not responsible for the collection, storage, disclosure, and use of your information by such party. In these circumstances, such parties' obligations with respect to such Personal Information are governed by their agreement with you. In the event you choose to control your Mesa device with a third-party application, software, or other offering, we cannot control or be responsible for the collection, storage, disclosure, and use of your Personal Information by such third party.

#### **DATA INTEGRITY AND RETENTION**

Mesa will take reasonable steps to confirm that Personal Information about you is accurate, complete, and up-to date. We retain Personal Information for as long as needed or permitted in light of the purpose(s) for which it was obtained and consistent with applicable law. The criteria used to determine our retention periods include:

The length of time we have an ongoing relationship with you and provide the System to you (for example, for as long as you have an account with us or keep using the System);  
Whether there is a legal obligation to which we are subject (for example, certain laws require us to keep records of your transactions for a certain period of time before we can delete them);  
or Whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation, or regulatory investigations).

#### **CHOICES AND ACCESS**

Users of our System in certain jurisdictions may have rights in relation to the Personal Information that we collect about them. If you would like to request to review, correct, update, suppress, restrict, or delete Personal Information, object to the processing of Personal Information, or if you would like to request to receive an electronic copy of your Personal Information for purposes of transmitting it to another company (to the extent this right to data portability is provided to you by applicable law), you may contact us by email at [support@mesangs.com](mailto:support@mesangs.com) or by mailing our Legal Department at 6392 Byrd Drive, Loveland, CO 80538. We will respond to your request consistent with applicable law.

In your request, please make clear what Personal Information you would like to have changed, and whether you would like to have your Personal Information suppressed from our database. For your protection, we may only implement requests with respect to the Personal Information associated with the email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable.



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Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting a change or deletion (e.g., when you make a purchase or enter a promotion, you may not be able to change or delete the Personal Information provided until after the completion of such purchase or promotion).

If you are a resident of California, under 18, and a registered user of the System, you may ask us to remove content or information that you have posted to the System by writing to [support@mesangs.com](mailto:support@mesangs.com). Please note that your request does not ensure complete or comprehensive removal of the content or information, as, for example, some of your content may have been reposted by another user.

When you provide us with Personal Information through our Website or product registration, you may be offered the opportunity to subscribe to and receive additional information about our products and services via e-mail. After your first use, you can change your initial choice by opting out of future e-mails or contacting customer service. Each commercial e-mail that we send to you will offer you the opportunity to opt-out of continuing to receive such messages. We may take up to ten (10) business days to process your opt-out requests.

#### **DATA SECURITY**

Mesa uses a variety of reasonable security technologies and procedures to help protect your Personal Information and the System from unauthorized access, use, or disclosure. For example, we store the Personal Information you provide on computer systems with limited access that are located in facilities to which access is limited. For sites to which you log in, it is your responsibility to ensure the security of your password and not to reveal this information to others. When you move around a site to which you have logged in, or from one site to another that uses the same login mechanism, we verify your identity by means of an encrypted cookie placed on your machine. Notwithstanding the foregoing, Mesa cannot guarantee that the System or your Personal Information cannot be compromised or hacked. If you have specific security-related concerns, please contact our Customer Support.

#### **THIRD PARTY ADVERTISING**

We use third-party advertising companies to serve advertisements regarding goods and services that may be of interest to you when you access and use the System and other websites or online services. You may receive advertisements based on information relating to your access to and use of the System and other websites or online services on any of your devices, as well as on information received from third parties. These companies place or recognize a unique cookie on your browser (including through the use of pixel tags). They also use these technologies, along with information they collect about your online use, to recognize you across the devices you use, such as a mobile phone and a laptop. If you would like more information



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about this practice, and to learn how to opt out of it in desktop and mobile browsers on the device on which you are accessing this Privacy Policy, please visit <http://optout.aboutads.info/#/> and <http://optout.networkadvertising.org/#/>. You may download the AppChoices app at [www.aboutads.info/appchoices](http://www.aboutads.info/appchoices) to opt out in mobile apps.

### **THIRD PARTY PAYMENT SERVICE**

We may use a third-party payment service to process payments made through the System. If you wish to make a payment through the System, your Personal Information will be collected by such third party and not by us and will be subject to the third party's privacy policy, rather than this Statement. We have no control over, and are not responsible for, this third party's collection, use and disclosure of your Personal Information.

### **SENSITIVE INFORMATION**

Unless we request it, we ask that you not send us, and you not disclose, any sensitive Personal Information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through the System or otherwise to us.

### **JURISDICTION AND CROSS-BORDER TRANSFER**

The System is hosted in the United States and is subject to United States law. We may share your Personal Information internally with our affiliates and other recipients, as described in this Statement, and they may be located in countries other than your country. If you are accessing the System from outside the United States, please be advised that the United States and other countries may not offer the same privacy protections as the law of your jurisdiction. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your Personal Information.

### **YOUR CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section § 1798.83 permits users of our System that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an e-mail or write us at: Mesa Natural Gas Solutions, LLC., 6392 Byrd Drive, Loveland, CO 80538, Attn: Legal Department.

### **CHANGES TO OUR PRIVACY STATEMENT**

It is our policy to post any changes we make to our Statement on this page. The date the Statement was last revised is identified at the top of the page. You are responsible for periodically visiting our System and this Statement to check for any changes.



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**CONTACT INFORMATION**

To ask questions or comment about this Statement and our privacy practices, contact us at:

Mesa Natural Gas Solutions, LLC. 6392 Byrd Drive, Loveland, CO 80538 Attn: Legal Department

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