

**ALTERNATE REPORTING AND DISCLOSURE STATEMENT
FOR NONQUALIFIED DEFERRED COMPENSATION PLANS
FOR A SELECT GROUP OF MANAGEMENT
OR HIGHLY COMPENSATED EMPLOYEES**

To the Secretary of Labor:

2520220070033

Effective September 15, 2021, Diamond Energy Systems, Inc., a Minnesota corporation, adopted a Nonqualified Deferred Compensation Plan ("**Plan**") that provides deferred compensation benefits to key employees. The Plan provides that deferred compensation benefits become payable upon such employees' separation from service, or upon other events described in the Plan.

Diamond Energy Systems, Inc., believes that the Plan constitutes a "pension plan" under the Employee Retirement Income Security Act of 1974, as amended ("**ERISA**"), and provides the following information to comply with the alternative method of reporting and disclosure for unfunded plans maintained for a select group of management or highly compensated employees pursuant to 29 C.F.R. § 2520.104-23, under Section 110 of Title I of ERISA.

Name and Address of Employer: Diamond Energy Systems, Inc.
601 Co. Rd 75 W
St. Joseph, MN 56374

Employer Identification Number: 41-1596985

Diamond Energy Systems, Inc., maintains one (1) or more plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

Number of Plans and Participants in Each Plan:

One (1) plan covering one (1) employee, Scott J. Miller.

Dated: September 15, 2021

DIAMOND ENERGY SYSTEMS, INC.

By: 
Michael T. Miller, Plan Administrator



1010 WEST ST. GERMAIN STREET
SUITE 500
ST. CLOUD, MN 56301
MAIN: 320.252.4414
FAX: 320.252-4482

Lathrop GPM LLP
lathropgpm.com

Steven B. Kutscheid
ATTORNEY AT LAW
DIRECT DIAL: 320.202.5311
FAX: 320.257-5619
STEVEN.KUTSCHEID@LATHROPGPM.COM

Sent via Certified Mail

November 11, 2021

SECRETARY OF LABOR
TOP HAT PLAN EXEMPTION
EMPLOYEE BENEFITS SECURITY ADMINISTRATION
ROOM N-1513
US DEPARTMENT OF LABOR
200 CONSTITUTION AVENUE NW
WASHINGTON DC 20210

RE: Diamond Energy Systems, Inc., Nonqualified Deferred Compensation Agreement with Scott Miller
Our File No. 719680

Dear Madam/Sir:

Please find enclosed an Alternate Reporting and Disclosure Statement for Nonqualified Deferred Compensation Plans for a Select Group of Management or Highly Compensated Employees for Diamond Energy Systems, Inc., a Minnesota corporation.

In the event you have any questions or concerns regarding the enclosed, please contact the undersigned directly.

Sincerely,

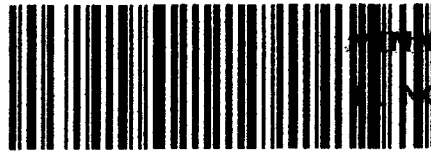
LATHROP GPM LLP

Steven B. Kutscheid
Attorney
SBK/BMR
Enclosure
cc: Mike Miller



Lathrop GPM LLP
1010 West St. Germain Street
Suite 500
St. Cloud, MN 56301

CERTIFIED MAIL



7019 2280 0000 2112 1932

MINNEAPOLIS MN 553

NOV 2021PM 3 L

Master
11/17/21
8007339
1175081
0111100070

SECRETARY OF LABOR
TOP HAT PLAN EXEMPTION
EMPLOYEE BENEFITS SECURITY ADMINISTRATION
ROOM N-1513
US DEPARTMENT OF LABOR
200 CONSTITUTION AVENUE NW
WASHINGTON DC 20210

20210-

