PROJECT JUPITER

QUESTIONS FROM CONSTITUENTS

Thank you for sharing these thoughtful and important questions. Consistent community engagement is central to Project Jupiter's approach. We are continuing to engage with the local community through a variety of forums to ensure we are designing responsible, next-generation infrastructure that meets the needs of tomorrow while honoring the priorities of the community today.

Information and resources about these topics, and more, are available on the project website at: https://projectjupitertogether.com/

We appreciate the opportunity to respond to these questions and welcome further dialogue with you on these subjects.

1. **Stressed aquifer and not enough water to be sustainable. Where will the water be sourced from for construction, one-time fill up, and employee consumption.**
    a. We know water is one of the most important and sensitive resources in Doña Ana County. Project Jupiter is designed to minimize water use, while paying for any necessary water and wastewater upgrades required to support the project. In addition, Project Jupiter has committed to invest $50 million in water and wastewater infrastructure to improve long-term water security in Doña Ana County. The data center is designed to include water-sensitive cooling design, known as a closed-loop system", essentially functioning similar to a refrigerated air system in your home. This will limit the daily operational use to be driven by employees' needs (sinks, toilets, etc.), averaging 20,000 gallons per day, with a peak cap of 60,000 gallons per day, supplied by CRRUA/County. For construction and the one-time cooling system fill, we are prioritizing alternative sources such as non-potable or brackish wells (where approved), reclaimed water from the local treatment facility, or trucked water from outside sources, not relying on the local drinking supply.
2. **Is it fresh, reclaimed, or brackish water that will be used for the next 30 years from CRRUA, if not from where?**
    a. Water utilized for ongoing operations will be treated drinking water provided by CRRUA/County. The daily operational water use for the full data center campus buildout will be an average of 20,000 gallons per day with a maximum peak use capped at 60,000 gallons per day. This water use is primarily driven by employees' domestic water use (sinks, toilets, etc.), consistent with a typical office building of 750 employees and similar in scale as the water use for less than 100 homes.
3. **Will deep injection wells or evaporation ponds be used?**
    a. No. Stormwater ponds will be built only to safely handle rainfall onsite, as required by County regulations.
4. **How much water will the closed loop system use to fill up the one time for each building?**
    a. Each data center building will have four separate chillersystems. Based on current designs, each system will need about 625,000 gallons (2 acre-feet) for its initial fill. That equals 2.5 million gallons per building, spread over 4–6 months – between 14,000 and 21,000 gallons per day on average. Filling is staggered so the temporary demand is spread out over 2 years, roughly matching the site's average daily water use once the campus is operational.
5. **Can they provide engineering schematics for the "one-time fill" system?**
    a. Yes, detailed engineering is underway as part of the project permitting and design review process. The Project will require approval from the local, state, and federal level to confirm compliance with regulations. Project Jupiter will post schematics related to the closed-loop cooling system once finalized for community transparency.
6. **How will gas contaminates be mitigated?**
    a. All fuel and power systems will use sealed designs, advanced filtration, and continuous emissions monitoring to ensure compliance with EPA and state standards. This means contaminants are captured and controlled before release. Regular maintenance and fuel-quality checks will further minimize risk.

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7. **How much "make-up" water is required each year (to offset evaporation and leaks)?**
    a. The closed-loop system is filled once and sealed, so water isn't lost to evaporation. We expect less than 1% annual loss, about 100,000 gallons per year (roughly 275 gallons per day, similar to the average daily water use of one U.S. household), mainly from small leaks that are repaired quickly.
8. **High usage of energy for cooling & residents paying for it in the long run.**
    a. Project Jupiter will power itself with an onsite microgrid that includes natural gas generation, battery storage, and eventually with renewable energy integration. The microgrid and energy generated by the microgrid and used by the data center will be paid for by the companies in Project Jupiter. The campus will not impact customers power reliability or costs. The microgrid is self-sustaining: that means it is designed to run independent of the public grid and helps preserve capacity and reliability for residents and businesses. The project pays for its own power rather than shifting costs to ratepayers.
9. **Use of natural gas and nuclear (small modular reactors) to power the data center. Heath Haussermen article https://haussamen.com/author/haussamen/ ?**
    a. Power for Project Jupiter will be served by high-efficiency natural gas turbines paired with large-scale battery storage to meet the reliability needs of the data center. Power provided to the data centers must meet a high reliability requirement of 99.9+%. To meet this reliability standard, sufficient base load power must first be established on the microgrid before intermittent power generation is later added. Currently, there are limited types of base load power that are readily available within the United States. Base load typically consists of coal, natural gas or nuclear. In this situation, nuclear power does not meet the timing needs of the project and is currently not a viable option and the project will not be using coal. As a result, the project will need to use natural gas. The natural gas turbines used will be equipped with robust emissions controls. All power needs will be met within the dedicated microgrid, so there's no impact to the local grid or electricity rates. The team is actively exploring local solar options and other clean-fuel technologies to expand renewable energy, reflecting the project's commitment to compliance with the Energy Transition Act and supporting the state's long-term energy goals.
10. **Why is the company allowed to operate a microgrid outside public utility regulation?**
    a. New Mexico law has long allowed entities to operate microgrids in certain situations without being regulated as public utilities. In 2025, HB 93 clarified that "qualified microgrids"—those serving only the owner's site, employees, or tenants—are not considered public utilities and remain exempt from the Public Utility Act. The legislation also allows these microgrids to connect to a public utility's grid if both parties agree and rates are approved by the public regulation commission, though currently there are no plans for Project Jupiter to connect to El Paso Electric's system. HB 93 further requires that by 2045, all power from qualified microgrids must come from net zero carbon resources, aligning with the state's energy transition goals.
11. **Will it negatively impact the air and environment quality?**
    a. No. Project Jupiter has been deliberately designed to protect both air quality and the broader environment. All systems will meet or exceed federal and state air quality standards. Closed-loop cooling reduces water use and eliminates evaporative loss. Emissions are controlled with advanced equipment and monitored continuously. Noise, lighting, and stormwater are managed to County standards. Project Jupiter is being developed with sustainability and environmental responsibility at its core.

    The campus plans to use best-available controls with a path to more renewables. The design includes ultra-low NOx combustors with SCR, low CO and VOC controls. The roadmap adds more battery storage and renewables to further reduce the carbon footprint and align with state goals to be net zero by 2045.

    The Project will submit all environmental analyses required by state and local regulations. As part of the site diligence activities to date, a Phase I Environmental Site Assessment has been completed and there are no Recognized Environmental Concerns or issues of notes on the undeveloped site.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

12. **Data center 700+ employment will eventually dwindle down drastically due to AI. Would like to see data on the types of jobs the 750 long term employees will be.**

    a. Project Jupiter is committed to creation of more than 750 permanent, onsite, full-time jobs within the first three years of operations. These jobs will all be physically located on the site. The average full-time pay for these positions will range from about $75,000 to $100,000, plus benefits. Roles will vary across several fields including skilled trades, facility operations, IT, logistics, administration, and technician positions across power, cooling, servers, and network infrastructure. The project will require employees with various education levels, ranging from high school only, to certificate programs, to associates, bachelors, and even some advanced degrees.

13. **Will 700+ employment or majority will be from out of Dona Ana County?**

    a. Local hiring is a top priority. Project Jupiter will partner with Doña Ana Community College, NMSU, and local schools to build training programs so local residents are prioritized for these opportunities.

14. **No transparency in water limits, power plan, binding local hires, no recourse confirmation.**

    a. Project Jupiter can confirm that the daily operational water use for the full data center campus buildout will be an average of 20,000 gallons per day with a maximum peak use capped at 60,000 gallons per day. This water use is primarily driven by employees' domestic water use (sinks, toilets, etc.) and is consistent with a typical office building of 750 employees and similar in scale as the water use for less than 100 homes. The Project is committed to releasing annual data on the data centers water use for transparency. The Project will also report annually on utility usage and job creation for local transparency.

15. **Desalinating plant will create waste like heavy metals, who will pay to dispose of waste?**

    a. A desalination plant is not part of this Project.

16. **Will company comply in the near future with all the promises given?**

    a. The Project is contractually obliged to reach 750 jobs created within three years of the facility beginning operations, make annual PILT payments to the County for the 30-year term totaling $360,000,000, and provide $50,000,000 in funding for water and wastewater upgrades in Doña Ana County. In the event the project shuts down early or fails to meet the required 750 job threshold, The Project has agreed to pay an increased PILT payment.

17. **Having company report bi-annually on employment minimum cap, water usage, electrical usage, environmental impacts.**

    a. The Project has committed to providing annual reporting on job creation and utility usage in support of community transparency.

18. **Will noise and vibration pollution felt by residents?**

    a. No. The facility is being designed to meet strict County noise standards. Any noise or vibration will remain within acceptable limits set by the County and will not impact nearby properties. The site is not near any existing residential development.

19. **Not enough legally binding commitments to ensure benefits to Dona Ana County.**

    a. The agreements include strong protections for the County, ensuring the County and residents receive long-term benefits. For example, if the project ends early, or if job targets aren't met, the company will be contractually obligated to pay a higher PILT.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

20. **Have or will studies be done to determine the long term impact on our environment and water supply? Does this project have any plan to offset or prevent these types of issues?**

    a. Project Jupiter has been deliberately designed to protect both air quality and the broader environment. All onsite power and cooling systems will comply with federal and state air quality regulations, including EPA and New Mexico Environment Department standards. Advanced equipment, closed-system operations, and emissions controls ensure that any releases are below permitted thresholds. The project uses closed-loop technology, which eliminates ongoing water consumption for cooling and minimizes environmental footprint – it does NOT use water-intensive evaporative cooling systems. Noise, light, and other environmental factors are also managed through strict design and operational controls. Project Jupiter is being developed with sustainability and environmental responsibility at its core.

21. **A mapped out framework for how the monies from the data center for dona ana county will be invested back into Dona ana county, a commitment to hire local construction companies, or even use their expertise to start a program at a local college that could eventually feed their workforce needs.**

    a. The PILT is structured to provide the County financial certainty over the 30-year period by making an annual payment directly to the County, totaling $360M. In addition to this annual funding, the Project will be directing additional funds to support construction of the Las Cruces Public Schools Career Technical Education (CTE) program facility. The Project will also actively partner with the Dona Ana Community College and New Mexico State University to stand up technical programs that align with Project Jupiter staffing needs to prioritize local hiring.

22. **The water authority in Sunland Park is failing and the county will take it over. When they do, will the county build a multi-million dollar desalinization plant to supply a fraction of the county and the data center?**

    a. The Project does not have any input or impact on the status of the water authority in the region. There is no desalination plant associated with this Project. The Project has committed to funding $50 million for water and wastewater upgrades to support safe and reliable drinking water in the Doña Ana County region. These funds will be used to ensure clean and reliable drinking water is accessible to all within the County and CRRUA service areas and be applied toward essential water infrastructure improvements to ensure long-term water security and sustainability for the region. The county has issued an RFI for a county-led desalination project and we would like to support the county's long term plans.

23. **If the only identified water source is the Mesilla Basin which is about 65% in Mexico, has Mexico been involved in what may be a major user of their water right to the basin?**

    a. The Project will not be considered as a major user of water, averaging 20,000 gallons per day (about the same as fewer than 100 homes), with a peak cap of 60,000 gallons per day. This water will come from CRRUA/Doña Ana County, which has confirmed it can meet the project's operational needs, without needing to obtain additional water rights from the Mesilla Basin. The project itself does not need international water rights.

24. **If the project is financially viable, why is the county offering to authorize a $165 billion dollar IRB which will indemnify private equity investors from financial risk?**

    a. In New Mexico, IRBs are a tool to provide tax treatment, not county-backed financing. The County does not borrow money, pledge its credit, or take on financial risk. All financial risk remains with the private investors and the company. The $165 billion reflects the maximum private investment over 30 years, not a lump-sum bond or taxpayer commitment. The IRB is simply the administrative framework that allows the County to secure long-term PILOT revenues and community benefits.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

25. Why is the proposed IRB issue $165 billion more that the published cost estimates and where will that excess be spent?

a. The $165 billion figure represents the maximum potential private investment over the 30-year life of the project. This number is not County funding or excess spending, it is simply the upper limit of what the project could invest privately over its full 30-year lifespan. It includes:

i. Construction of buildings.

ii. Purchase and installation of servers, cooling, and power systems.

iii. Future equipment upgrades and expansions that will occur over decades.

26. What fail safes are in place to prevent this from becoming an environmental disaster?

a. The project must meet strict local, state, and federal permitting requirements, covering air, water, and environmental protections. In addition, systems are designed with multiple safeguards, and operations will be monitored. These layers of oversight ensure the project cannot proceed, or continue operating, without protecting community health and the environment. Finally, The Project has committed to providing annual reporting on job creation and utility usage in support of community transparency.

27. How much of the $165B will be spent in NM and over what time period?

a. The $165B reflects the maximum amount of private investment that could occur over the 30-year duration of the Project's term. This total amount includes initial construction of the data centers and the necessary equipment and servers (including costs of future upgrades to the servers). A significant portion of this investment in land, construction, equipment, and infrastructure, will be spent in New Mexico. To obtain the benefits under the IRB program, all capital investment for Project Jupiter must be deployed at the project site in Doña Ana County.

28. Have there been any environmental impact studies done on this massive server farm that is being proposed?

a. Environmental reviews are a required part of the permitting process. Project Jupiter is working with the County, State, and federal agencies to complete all necessary studies before construction begins. These reviews cover water use, air quality, noise, stormwater, and overall environmental impacts.

29. What is the average longevity/viability of this data center?

a. Data centers are designed as long-term infrastructure. The typical useful life of a modern data center is projected to be 30–40 years, with ongoing upgrades to technology and equipment along the way. Rather than becoming obsolete, facilities like this are continually refreshed with servers and equipment being replaced or modernized as technology evolves. The buildings, land, and core infrastructure remain viable for decades, making this a long-lasting investment in the community.

30. Feeling rushed and need more information. Extend the deadline so we can learn more about the project.

a. We understand that this is a big decision for the community. The County has set up a public process with multiple meetings, office hours, and opportunities for questions before any final decisions are made. Project Jupiter will continue providing information and engaging with residents throughout the process, and all required permitting steps must be completed before the project can move forward.

31. Is desalinizing plant part of the $165 B?

a. No, the project does not include desalination. The county has issued an RFI for a county-led desalination project and we would like to support the county's long term plans.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

32. **With $165B in Industrial Revenue Bonds, how much property tax will actually reach schools, fire, and sheriff?**
    a. Instead of traditional property taxes, Project Jupiter will make a guaranteed annual Payment in Lieu of Taxes (PILT) to Doña Ana County of $12,000,000. Of these funds, approximately $2,100,000 will be directed specifically to county school districts (subject to change if the County millage rates are modified). The County can then decide how to distribute the remainder of these funds (approximately $9,900,000) to support schools, fire protection, sheriff's services, and other local priorities. This structure ensures the money stays in the community and is used where it's needed most.
33. **Is there a guaranteed annual PILOT agreement?**
    a. Yes. The annual PILOT payment is legally established as part of the IRB agreements, providing the County with long-term, predictable revenue over the 30-year term.
34. **STACK/BorderPlex pledged "tens of millions" — what is the binding amount?**
    a. In addition to the annual PILOT payment, Project Jupiter has committed to contributing $50 million through the State's GRT Share program to benefit safe and reliable drinking water in the Doña Ana County region.
35. **Who controls those funds, and do they go to rural co-ops like Talavera/Moongate/LRG PWWA, or only county-owned systems?**
    a. The $50 million will go directly to Doña Ana County, which will manage the distribution. $10 million of these funds are dedicated to improving the water system in the City of Sunland Park. Funds will be prioritized to improve clean and reliable drinking water for all County and CRRUA service areas. County leaders will control and disburse the funds.
36. **How many permanent, full-time jobs are guaranteed, at what pay scale?**
    a. Project Jupiter is contractually committed to creating at least 750 permanent, full-time onsite jobs within the first three years of operations. These jobs are not remote and will all be located in Doña Ana County. Average salaries will range from $75,000 to $100,000 plus benefits, covering roles in facility operations, skilled trades, IT, logistics, and technical support for power, cooling, and network systems.
37. **Will there be local hiring preferences or training programs through NMSU / Doña Ana CC?**
    a. Yes. Project Jupiter is committed to prioritizing local residents for opportunities. We will partner with Doña Ana Community College, NMSU, and Doña Ana Public Schools to develop hands-on training and career-focused programs that prepare students for jobs at the data center. In addition, Project Jupiter is creating a $2 million local education and community fund to support high schools, community colleges, and universities in Doña Ana County. These investments will help build a strong local talent pipeline, ensuring that tomorrow's workforce comes from right here in the community.

MICROGRID TRANSPARENCY

38. **What exact technologies will power the microgrid (natural gas turbines, renewables, battery storage)?**
    a. BorderPlex Digital will take a portfolio approach. The initial configuration uses state of the art high-efficiency natural gas turbines paired with large-scale battery storage to meet data center reliability requirements, in addition the project is actively exploring renewable solutions. The future roadmap plans for expanded storage and additional renewables as supply chains allow.
39. **How much total capacity (MW) will it provide, and how is redundancy assured?**
    a. The microgrid is still under design and will be designed to meet customer specifications. The initial first phase of power will likely have the capacity to generate between 700 – 900 MW. Additional phases of power generation are anticipated for the project.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

40. Will there be emissions, and if so, where are they measured and reported?

a. Yes, the project will likely have some emissions. The microgrid will be subject to permitting & ongoing regulation and monitoring by the New Mexico Environment Department ("NMED"). Construction for any emitting sources located at the project cannot commence without a permit issued by NMED or the filing of a notice of intent. Facilities, like the turbines that will be utilized at the microgrid sites, must submit regular emissions inventories, monitoring reports, and compliance certifications that detail actual emissions of regulated pollutants to NMED. Facilities are also required to maintain records of monitoring data, equipment calibration, maintenance, and inspections for a minimum of five years. Specific reporting schedules, data to be reported, and documentation standards will vary depending on the permit type selected by NMED and facility operations.

41. Local grid interaction?

a. There will be minimal reliance on the local energy grid. A small amount of power is being provided by El Paso Electric to provide initial construction power. Currently no power from the microgrid is planned to be delivered to El Paso Electric.

42. Will the microgrid operate fully off-grid, or will it pull from El Paso Electric during peak demand?

a. The campus is designed for independent operation from the utility grid. It will be engineered so the campus can manage peak demand without burdening local infrastructure. A small amount of power is being provided by EME to provide initial construction power.

43. If tied to the grid, who pays for transmission upgrades?

a. Project Jupiter will pay for any associated transmission upgrades required for the project. Currently no power from the microgrid is planned to be delivered to the grid.

44. What safeguards exist so local ratepayers don't subsidize Jupiter's power use?

a. The campus is independently operated and financed. There will be no burden on the public utility. Under New Mexico law, ratepayers do not pay anything related to behind-the-meter power sources built and used exclusively by private businesses. In the event a public utility later acquired the microgrid or power generated by the microgrid, the Public Regulation Commission would have jurisdiction over that process and is charged with ensuring that other ratepayers do not subsidize the project's power use. The Public Regulation Commission has jurisdiction to provide this relief. In 2019, the New Mexico Public Regulation Commission (NMPRC) ordered utility company Public Service Company of New Mexico (PNM) to bill Meta (then known as Facebook) approximately $39 million for a transmission line built to serve its data center in Los Lunas. The decision was a significant move to make a large energy consumer pay for infrastructure costs rather than have them subsidized by other ratepayers.

CLOSED-LOOP SPECIFICS

45. Can they provide engineering schematics for the "one-time fill" system?

a. Yes, detailed engineering is underway as part of the project permitting and design review process. The Project will require approval from the local, state and federal level to confirm compliance with regulations. Project Jupiter will publicly release schematics related to the closed-loop cooling system once finalized.

46. How large is the initial fill (in acre-feet or gallons)?

a. Each data center building will have four separate chiller systems. Based on current designs, each system will need about 625,000 gallons (2 acre-feet) for its initial fill. That equals 2.5 million gallons per building, spread over 4–6 months – between 14,000 and 21,000 gallons per day on average.. Filling is staggered so the temporary demand is spread out over time, roughly matching the site's average daily water use.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

47. How much "make-up" water is required each year (to offset evaporation and leaks)?

a. The data center cooling system is a closed-loop system. The closed-loop system is filled once and then sealed, with the same water recirculating continuously to remove heat from equipment so there is no water loss expected from evaporation. We expect less than 1% annual loss, about 100,000 gallons per year (roughly 275 gallons per day), mainly from small leaks that are repaired quickly. The project will not use NOT water-intensive evaporative cooling systems.

48. Is it fresh, reclaimed, or brackish water?

a. The daily operational water use, averaging 20,000 gallons per day, will be treated drinking water provided by CRRUA/County. Project Jupiter is prioritizing alternative sources for the one-time fill including non-potable or brackish wells (where suitable and approved), reclaimed water from the wastewater treatment facility, or trucked water from alternate sources.

49. Brine/waste handling

a. There is not desalination involved with the operation of this project so there will not be brine or waste concentrate generated so there is no handling of these substances to consider. If temporary desalination is required for the one-time fill, brine will be trucked offsite for treatment.

50. If desalination is used, where does the concentrate go?

a. A desalination plant is not part of this Project.

51. Will deep injection wells or evaporation ponds be used?

a. The Project design does not include any deep injection wells nor evaporation ponds. The site will be responsible for designing the necessary stormwater ponds within the site to handle rain water per County requirements.

COMMUNITY BENEFITS PAYMENTS IN LIEU OF TAXES (PILOTs)

52. With $165B in Industrial Revenue Bonds, how much property tax will actually reach schools, fire, and sheriff?

a. Instead of traditional property taxes, Project Jupiter will make a guaranteed annual Payment in Lieu of Taxes (PILT) to Doña Ana County of $12,000,000. Of these funds, approximately $2,100,000 will be directed specifically to county school districts (subject to change if the County millage rates are modified). The County can then decide how to distribute the remainder of these funds (approximately $9,900,000) to support schools, fire protection, sheriff's services, and other local priorities. This structure ensures the money stays in the community and is used where it's needed most.

53. Is there a guaranteed annual PILOT agreement?

a. Yes, Project Jupiter will pay the County $12 million every year for 30 years under a binding PILT agreement. This provides the County with long-term, predictable revenue that can be invested in schools, public safety, and community services.

54. Water & wastewater investment from company

a. The Project is committed to funding the infrastructure required to serve the Project. In addition, the Project is committed to funding regional improvements to benefit the existing water and wastewater systems including a regional water tank and a regional lift station. Project Jupiter has committed to contributing $50 million through the State's GRT Share program to benefit safe and reliable drinking water in the Doña Ana County region.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

54. STACK/BorderPlex pledged "tens of millions" — what is the binding amount?

a. The binding commitment is $50 million through the State's GRT Share program. These funds will be managed by Doña Ana County and prioritized to ensure clean, reliable drinking water for residents across the County and CRRUA service areas. The money will go toward essential water infrastructure improvements that provide long-term benefits to the community. Of that amount, $10 Million is provided to the City of Sunland Park via a metrics-driven grant program to improve water quality within the municipal boundaries, with reversion to the County of any funds not spent within 5 years of the funds being made available.

GOVERNANCE

55. Request independent engineering review of cooling system efficiency and water use, ideally by NMSU's water research team.

a. Project Jupiter welcomes collaboration with NMSU's water research team to share information regarding the data center cooling system efficiency and water use. BorderPlex Digital Assets is already collaborating with New Mexico State University to explore solutions for water management.

56. Third-party environmental impact assessments before approving incentives.

a. Before the Project construction can move forward, it must complete state and federal environmental reviews as part of the permitting process. The incentives approvals are the first step to ensure that Dona Ana County is a viable location for this project.

57. Insist on annual public reporting of actual water and power consumption, compared against the original projections.

a. Both the Project and the County are committed to annual public reporting of water and energy use. These reports will compare actual consumption against the original projections so that the community can hold the Project accountable and track performance over time.

BOND RISK

59. IRBs are usually "conduit" bonds — can the county confirm no taxpayer liability if the project fails?

a. Industrial Revenue Bonds (IRBs) in New Mexico are "conduit bonds," meaning taxpayers are never on the hook if the project fails. The County only acts as a pass-through for paperwork, it does not borrow money or take on financial risk. All financial risk stays with the company, while the County gains predictable revenue through guaranteed PILT payments.

60. What are the claw-back provisions if promises on jobs, water efficiency, or infrastructure investment aren't met?

a. The agreements include strong protections for the County, ensuring it – and residents – receive long-term benefits. The Project would be subject to obligations to repay a portion of the tax incentives provided through the IRB structure in the event of early cessation or early outright termination of Project operations in the County. Moreover, the Project would agree to pay an increased PILT upon failing to meet job target obligations.

61. Will the Delaware entities be required to disclose their parent companies (e.g. Amazon, Google, Microsoft, or another hyperscale)?

a. The companies involved in Project Jupiter are structured through Delaware entities, which is a very common business practice in the U.S. for large prospective projects. These entities will be the legal parties to local agreements.

62. Is there a timeline for releasing full site details?

a. Full site details, including design, infrastructure, and environmental studies, will be shared as the project moves through the permitting and approval process. As engineering and environmental reviews are completed, information will be made public so the community can track progress and provide input.

PROJECT JUPITER QUESTIONS FROM CONSTITUENTS

63. **How to Verify Their Claims**

    a. There are two main ways for the County to verify the Project claims – through annual public reporting and legal, enforceable contracts. The LEDA/IRB agreements include legal requirements that if Project Jupiter does not meet its commitments, clawbacks and penalties will automatically apply. This means the community will be able to see the results and know there are real consequences if promises aren't kept.

64. **Request independent engineering review of cooling system efficiency and water use, ideally by NMSU's water research team.**

    a. Project Jupiter welcomes collaboration with NMSU's water research team to share information regarding the data center cooling system efficiency and water use. This is a great idea and goes hand-in-hand with our commitment to partner with NMSU to on technical programs and workforce development. BorderPlex Digital Assets is already collaborating with New Mexico State University to explore solutions for water management.

65. **Demand third-party environmental impact assessments before approving incentives.**

    a. Third-party environmental impact assessments will occur. The project must complete all required state and federal environmental reviews before construction can begin. These reviews include public input and independent oversight. The incentives approval process happens earlier to determine if Doña Ana County is a viable location for the project, but final construction cannot proceed until environmental reviews are complete.

66. **negotiate a contractual agreement that backs up Project Jupiter's big promises with legal guarantees.**

    a. The agreements are legally binding and include strong protections for the County, ensuring it – and residents – receive long-term benefits. For example, if the project ends early or job targets are not met, the company must repay part of its incentives and pay a higher PILT. This ensures the County's interests are protected and benefits are guaranteed.

67. **67. Insist on annual public reporting of actual water and power consumption, compared against the original projections.**

    a. Yes, Project Jupiter and the County will publish annual reports on actual water and energy use, compared to original projections. This makes performance fully transparent and gives the community a way to hold the Project accountable year after year.