

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

SAGE SHOP LLC
d/b/a SAGE SHOP
903 ENGH ROAD #C
OMAK, WA 98441-9627

LICENSEE

LICENSE NO. 414740
UBI 603-358-125-001-0001

LCB NO. M-25,348

FINAL ORDER OF THE BOARD

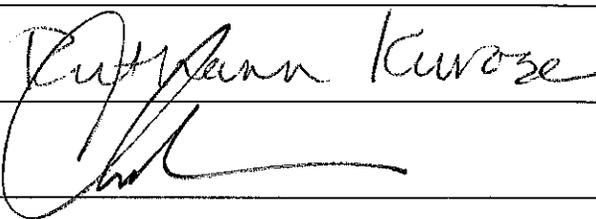
The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The City of Omak submitted a letter dated June 18, 2014 objecting to the above-captioned license application.
2. The Licensing Division of the Liquor Control Board issued a Statement of Intent to Approve Marijuana Retailer License dated October 13, 2014. The City of Omak was not granted a hearing in this matter.
3. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises; NOW, THEREFORE, IT IS HEREBY ORDERED that the Statement of Intent to Approve Marijuana Retailer License for case M-25,348 in this matter is ADOPTED.

IT IS HEREBY FURTHER ORDERED that the license applicant for Marijuana Retailer for Sage Shop Inc. d/b/a Sage Shop, License Number 414740 is APPROVED

DATED at Olympia, Washington this 4TH day of NOVEMBER, 2014.

WASHINGTON STATE LIQUOR CONTROL BOARD

A handwritten signature in cursive script, reading "Duffmann Kuwose", is written across three horizontal lines.

Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).



Washington State
Liquor Control Board

November 6, 2014

Montana Dutton
Sage Shop LLC
d/b/a Sage Shop
PO Box 1696
Okanogan, WA 98440-1696

Alan Rathbun,
Licensing Director
WSLCB
PO Box 43098
Olympia, WA 98504-3098

RE: FINAL ORDER OF THE BOARD

APPLICANT: Sage Shop LLC

TRADE NAME: Sage Shop

LOCATION: 903 Engh Road Ste C, Omak, WA 98841-9627

LICENSE NO. 414740

LCB HEARING NO. M-25,348

UBI: 603-358-125-001-0001

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter.

If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Cindy Gagne, Mayor, City of Omak
Becky Smith, Licensing Manager, WSLCB
Mary Henley, Administrative Assistant, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

SAGE SHOP LLC
d/b/a SAGE SHOP
903 ENGH ROAD STE C
OMAK, WA 98841-9627

APPLICANT

LICENSE APPLICATION NO. 414740
UBI NO: 603-358-125-001-0001

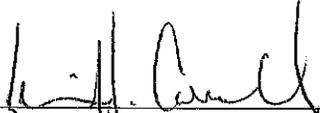
LCB NO. M-25,348

DECLARATION OF SERVICE BY
MAIL

I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-referenced matter to be served on all parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for applicants and licensees, by electronic mail for WSLCB offices, and Campus Mail via Consolidated Mail Services for state offices on the date below to:

MONTANA DUTTON SAGE SHOP LLC d/b/a SAGE SHOP PO BOX 1696 OKANOGAN, WA 98440-1696	LIQUOR CONTROL BOARD MAIL STOP 43098, LICENSING DIVISION ALAN RATHBUN, LICENSING DIRECTOR
MONTANA DUTTON SAGE SHOP LLC d/b/a SAGE SHOP 903 ENGH ROAD STE C OMAK, WA 98841-9627	

DATED this 6th day of November, 2014, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

**STATE OF WASHINGTON
WASHINGTON STATE LIQUOR CONTROL BOARD**

In the Matter of the Approval of the
marijuana license authorizing the privileges
as a Marijuana Retail license for:

Sage Shop LLC
Sage Shop
P. O. Box 1696
Okanogan, WA 98440

Location Address: 903 Engh Road #C
Omak, WA 98841-9627

License Application No. 414740
UBI No. 603-358-125-001-0001

LCB No. M-25,348

**STATEMENT OF INTENT TO
APPROVE MARIJUANA RETAIL
LICENSE**

The authority of the Washington State Liquor Control Board in this proceeding is based on the provisions of Title 69 Revised Code of Washington (RCW) and Title 314 Washington Administrative Code (WAC).

1. LICENSE HISTORY

- 1.1 Respondent has not held a marijuana retail license.

2. SUMMARY OF RELEVANT FACTS

- 2.1 The City of Omak submitted a timely objection to the license approval for a marijuana retail license for Sage Shop. The objection was based on the proposed location being within 1000 feet of a Wal-Mart with arcade games inside the front door, within 1000 feet of Omak Church of Jesus Christ of Latter Day Saints, which hosts a variety of youth oriented activities; Boy Scout meetings, bible study groups, dances and other youth related activities and within 1000 feet of a Game Stop and McDonalds. The City further objects to the license approval because the applicant shares a residence location and postal address with Mr. Jeremy Moberg (President of Cannasol Farms Inc. which is a non retail licensee #412240). The local authority cites RCW 69.50.328 – “Neither a licensed marijuana producer nor a licensed marijuana processor shall have a direct or indirect

financial interest in a licensed marijuana retailer.”

- 2.2 It was found by the Board that the entities listed in the City’s objection are not restricted entities according to the rules. The Wal-Mart arcade is not considered an actual arcade. Neither Game Stop nor McDonalds are restricted entities.
- 2.3 With regard to Mr. Jeremy Moberg sharing the residence, it has been determined by the Board that this does not constitute a direct or indirect interest.

3. RELEVANT AUTHORITY AND CONCLUSIONS

- 3.1 Consideration of the matters outlined in paragraphs 2.1 through 2.3 are provided under the provisions of RCW 69.50.331(7).
- 3.2 Consideration of the matters outlined in paragraph 2.1 through 2.2 is provided under the provisions of RCW 69.50.331(8).
- 3.3 Consideration of the matter outlined in paragraph 2.3 is provided under the provisions of RCW 69.50.328.
- 3.4 Paragraphs 3.1 through 3.3 above each establish a separate and independently sufficient basis for the decision.

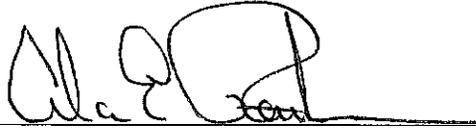
4. REQUEST FOR APPROVAL

The below-signed Licensing and Regulation Division Director for the Washington State Liquor Control Board reviewed the following materials in making this decision:

- Report of Application prepared by MJ Licensing Investigator Lynch dated September 28, 2014
- Letter from City of Omak dated June 18, 2014
- LCB Notice to Local Authority dated May 30, 2014
- Secretary of State Corporations Division Registration Data Search dated June 28, 2014
- Email correspondence from applicant dated June 20, 2014
- Letters of public protest

Based on those materials, having concluded as set forth above, intends to approve the Marijuana Retail license of Sage Shop. The City of Omak is not granted an administrative hearing in appeal of this decision.

DATED this 9th day of October, 2014.



Alan E. Rathbun, Director
Licensing & Regulation Division

The Washington State Liquor Control Board has a policy of providing equal access to its services.

This document was mailed to the following people:

The Honorable Cindy Gagne Mayor, City of Omak P. O. Box 72 Omak, WA 98841	Sage Shop LLC Sage Shop P O Box 1696 Okanogan, WA 98440
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