CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 20, 2021

Black Rapids, LLC
DBA: Fox Creek
Via email: kyle@blackrapidsak.com

Re: Standard Marijuana Cultivation Facility License #14477

Dear applicant,

AMCO has reviewed the documents submitted for the transfer of ownership for the license referenced above. This letter is notice under 3 AAC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **MJ-17c License Transfer Application**
  - Please correct me if I am mistaken, but my understanding is that you are transferring your license from Fox Creek LLC, DBA: Fox Creek LLC, to Black Rapids LLC, DBA: Fox Creek. If this is accurate, this transfer would be considered a regular ownership transfer, not a transfer of controlling interest in the licensed entity.
    - Section 1: Please remove the checkmark from the "Transfer of controlling interest in the licensed entity" box, and add a checkmark to the "Regular ownership transfer" box.

- **Publisher's Affidavit**
  - Because you used the transfer of controlling interest language instead of a regular ownership transfer language, you will need to redo the 3-week advertising. Please re-advertise for 3 weeks, then submit a new Publisher's Affidavit with a copy of the newspaper clipping.
    - The advertisement should say:
      - Fox Creek LLC, doing business as Fox Creek LLC, located at 2304 Old Elliot Highway, Fairbanks, AK 99712 is applying under 3 AAC 306.045 for transfer of a standard marijuana cultivation facility (3 AAC 306.400), license #14477 to Black Rapids LLC, doing business as Fox Creek. Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be

complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and a copy of the application will be posted on AMCO's website at https://www.commerce.alaska.gov/web/amco. Objections should be sent to AMCO at marijuana.licensing@alaska.gov or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501.

- **Proof of Possession for Proposed Premises**
  - Please submit a lease with Black Rapids LLC as the tenant.
    - Additionally, because the current licensee (Fox Creek LLC) should have legal right of possession until the transfer is effectuated, the commencement date should say something along the lines of, "commencing not earlier than the effectuation of the transfer", or something similar.

It is very important that you submit the above corrections and/or documents in a timely manner so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,

Jacqlene Drulis

Jacqlene Drulis, Local Government Specialist
For,
Glen Klinkhart, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	kyle@blackrapidsak.com
Cc:	Marijuana Licensing (CED sponsored); Jason Brandeis
Subject:	Incomplete Transfer Application - Fox Creek - #14477
Date:	Monday, December 20, 2021 1:45:47 PM
Attachments:	14477 Incomplete Transfer Notice.pdf image001.png

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Good afternoon,

Your transfer application has been reviewed, attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

Please make sure to read the entire notice. If the submitted corrections for your application are inadequate to deem your application complete, or your application is still incomplete after ninety (90) days from the date of this notice, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and 3 AAC 306.025(f). Should you wish to continue pursuing licensure, it would be necessary to file a new application and pay new fees.

Ninety-day Due Date: March 20, 2022

Let us know if you require copies of any submitted documents, and feel free to email if you need clarification on any items in the Incomplete Notice. Correspondence should be sent to marijuana.licensing@alaska.gov.

Thank you,

Jacqlene Drulis
Local Government Specialist
Alcohol & Marijuana Control Office (AMCO)
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501
(907) 334-2195