

# Couple face big fine after leasing land to illegal pot growers

By SIERRA DAWN MCCLAIN  
Capital Press

EAGLE POINT — Jackson County Code Enforcement is fining a Southern Oregon cattle and hay ranching couple \$150,000 for land use violations on land they leased to an illegal marijuana grower who allegedly posed as an industrial hemp grower.

The couple, Jerry Wetzel, 78, and Gloria Wetzel, 76, plan to appeal, saying they did not know the tenant lacked licenses and the tenant claimed to be growing legal hemp.

Land use experts say cases like this are common statewide, especially in Southern Oregon.

According to Jackson County Sheriff Nate Sickler, the county is “finding many land leasers have been less than honest with the property owners about what they are cultivating, as well as what permitting and licensing have been obtained.”

“Sometimes landowners know exactly what they were doing and then try to put all the blame on the growers. Other times, it’s clear the landowners are clueless,” said Roger Pearce, land use attorney and Jackson County hearings officer.

Whether landowners knew they were leasing to an illegal



Sierra Dawn McClain/Capital Press

**Jerry and Gloria Wetzel, longtime Jackson County cattle ranchers, drive in this undated photo to a piece of acreage they own and leased out in 2021. The county’s code enforcement is fining the couple \$150,000 for land use violations on land they leased to an illegal marijuana grower who allegedly posed as an industrial hemp grower.**

operation or not, Pearce and Sickler said they may be liable for violations under state and county law.

In the Wetzel case, according to Jackson County public records, on June 10, 2021, Oregon State Police raided the Wetzels’ home after obtaining a search warrant.

Officers entered the house with guns, searched for evidence and seized property. The Wetzels said they were

frightened while handcuffed for about four hours.

“They searched this place from top to bottom,” said Gloria Wetzel, eyes watering.

During the raid, the tenant and his workers fled the approximately 2-acre grow site leased from the Wetzels far from the couple’s residence.

Using equipment designed to detect THC levels, Oregon State Police determined the

operation was growing marijuana.

Mark Taylor, founding board member of the Southern Oregon Hemp Co-Op, said he knows the Wetzels to be “honorable people” and said he feels it was inappropriate for officers to raid the home of the landowners rather than targeting the tenant’s grow site.

Taylor said he also is upset the couple is being fined for

violations committed by the lessee.

“The whole case smells of government overreach,” he said.

Jerry Wetzel said when he and Gloria started leasing acreage to someone they thought was a hemp grower in 2020, they knew hemp was legal in Oregon but did not know operations required permitting. Thus, they didn’t ask to see permits.

The illegal grower, at his own expense, constructed 54 greenhouses and installed electricity, also without permits. The lessee, Jerry Wetzel said, told him the structures were temporary.

“We weren’t told to ask for a license to prove it’s legal hemp or legal greenhouse(s),” he said.

When the growers fled, the Wetzels were stuck with the fine.

The Wetzels said they believe laws that punish landowners regardless of intent for the actions of their lessees are unjust.

Annick Goldsmith, the hemp co-op’s small farms adviser, said she believes the county shouldn’t “cast such a wide net that (it) victimize(s) people like Jerry and Gloria.”

Land use experts, however, say liability laws placing the burden on the property owner are standard.

“It’s pretty straightfor-

ward. In most cases, ultimately the person who owns land is responsible for compliance with all laws that deal with the use of that land,” said Jim Johnson, land use and water planning coordinator for the Oregon Department of Agriculture.

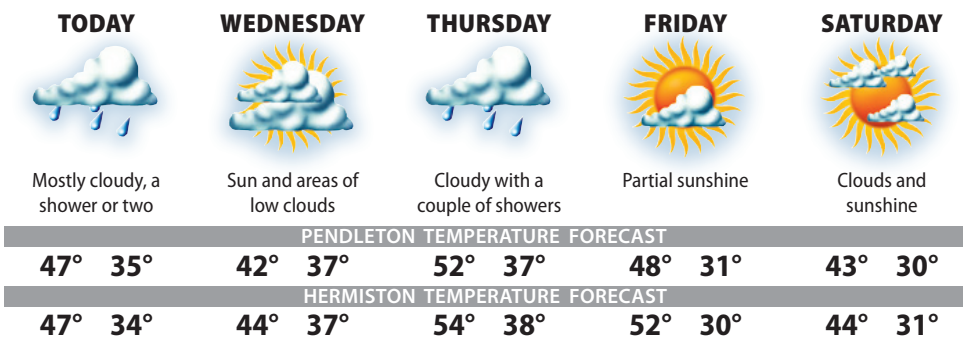
Pearce, the attorney, said landowners may be held liable for state and county violations, potentially for pollution, illegal water uses, construction of unpermitted structures and failure to register farm labor camps.

Sickler, the sheriff, said landowners should verify an operation is legitimate “to prevent a criminal organization from setting up shop in our county.”

The Wetzels said they thought they had taken sufficient precautions because they were not business partners of the tenant and had worked with an attorney to create a lease agreement in 2020 to protect the farm’s interests. The lease stated no illegal activities would be allowed.

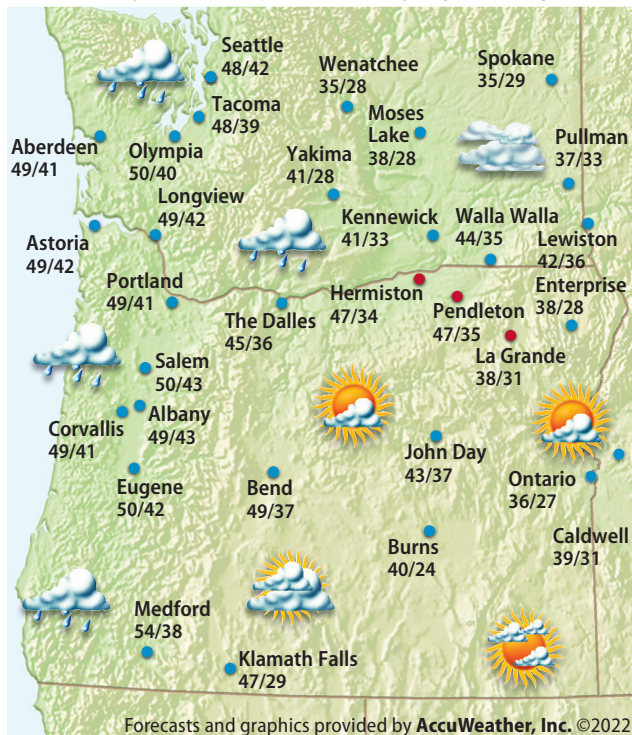
Now, the Wetzels said they wish they had known to ask for permits. They, along with Taylor of the co-op, advise landowners to check permits, conduct a background check, ask for an up-front security deposit and engage a seasoned real estate attorney before leasing to hemp growers.

## Forecast for Pendleton Area



## OREGON FORECAST

Shown is today’s weather. Temperatures are today’s highs and tonight’s lows.



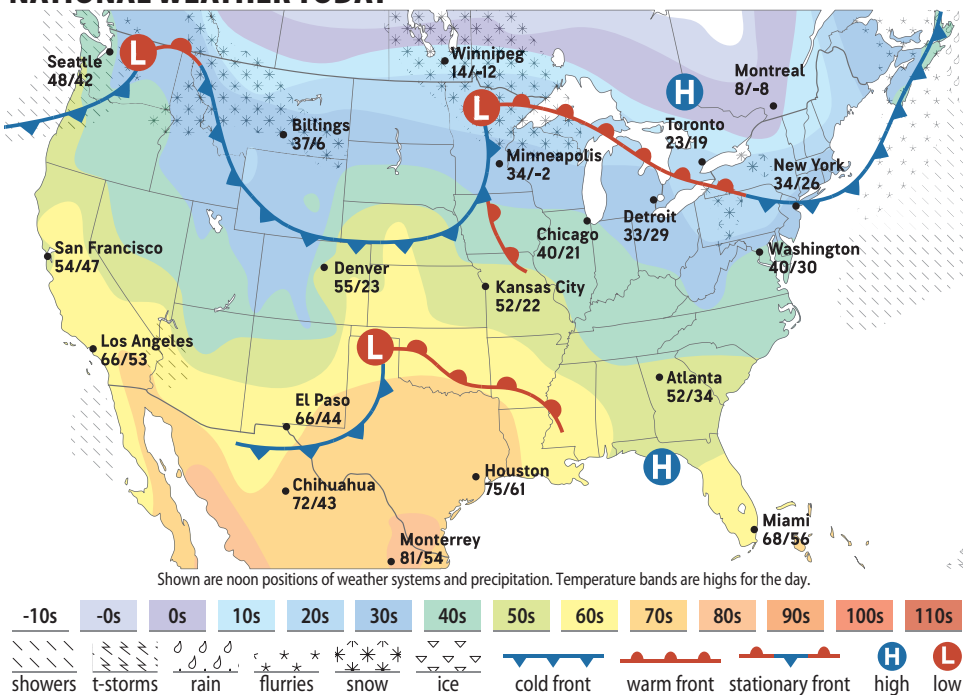
## ALMANAC

PENDLETON through 3 p.m. yest.			
TEMP.	HIGH	LOW	
Yesterday	35°	29°	
Normals	42°	28°	
Records	64° (1919)	-17° (1930)	
PRECIPITATION			
24 hours ending 3 p.m.	0.00"		
Month to date	1.36"		
Normal month to date	0.87"		
Year to date	1.36"		
Last year to date	0.44"		
Normal year to date	0.87"		
HERMISTON through 3 p.m. yest.			
TEMP.	HIGH	LOW	
Yesterday	35°	32°	
Normals	43°	29°	
Records	62° (1974)	-21° (1930)	
PRECIPITATION			
24 hours ending 3 p.m.	0.00"		
Month to date	0.81"		
Normal month to date	0.65"		
Year to date	0.81"		
Last year to date	0.34"		
Normal year to date	0.65"		
WINDS (in mph)			
Today	WSW 4-8	W 3-6	
Pendleton	W 6-12	WNW 4-8	
SUN AND MOON			
Sunrise today	7:30 a.m.		
Sunset tonight	4:41 p.m.		
Moonrise today	5:23 p.m.		
Moonset today	8:26 a.m.		
Last New First Full			
Jan 25	Jan 31	Feb 8	Feb 16

## NATIONAL EXTREMES

Yesterday’s National Extremes: (for the 48 contiguous states)  
High 80° in Zapata, Texas Low -14° in Crested Butte, Colo.

## NATIONAL WEATHER TODAY



# Northwest wheat stocks down 43%, winter wheat planting up 3%

By MATTHEW WEAVER  
Capital Press

SPOKANE — Pacific Northwest wheat stocks are down about 43% compared to the same time last year, according to the USDA. Regional wheat industry representatives say that’s to be expected.

“The overall decline of 43% is about on par with the fact that we had a 47% drop in production,” said Glen Squires, CEO of the Washington Grain Commission. “There is just less wheat out there to start with so the decline in stocks is not unexpected.”

According to the USDA, Washington wheat stocks totaled 82.6 million bushels, down from 147 million bushels the previous year, nearly a 44% decline.

Idaho wheat stocks totaled 48.8 million bushels, down from 84.7 million bushels the year before, a 42% decline.

Oregon wheat stocks totaled 21.1 million bushels, down from 38.2 million bushels the previous year, nearly a 45% decline.

“We did not come into the year with a lot in the bins carried over,” said Amanda Hoey, CEO of Oregon Wheat. “The 2021 crop suffered due

to combined drought and heat. With the lowered production levels last year, the reduced stocks on and off farm are to be expected.”

Nationally, wheat stored in all positions totaled 1.39 billion bushels, down from 1.70 billion bushels a year ago, an 18% decline.

Washington winter wheat growers seeded an estimated 1.80 million acres of winter wheat for harvest in 2022, up 3% from 1.75 million acres seeded in 2021 but the same as 2020.

“The increase in Washington winter wheat acreage is not a big surprise given much higher prices,” Squires said.

Soft white wheat this week ranged from \$10.20 to \$11.25 per bushel on the Portland market.

USDA’s National Agricultural Statistics Service occasionally adjusts seeded acreage numbers later in the year, Squires noted.

“For spring wheat, we will have to wait and see,” he said. “There are quite a few variables ... rotations, other crops and their prices and the wheat price itself. Certainly we are hoping that moisture continues to come.”

Idaho growers seeded 760,000 acres of winter wheat

for the 2022 crop, up 7% from 710,000 acres in 2021, and 6% above 720,000 acres in 2020 crop.

Oregon farmers planted 730,000 acres, up 1% from 720,000 acres in 2021 but down 1% from 740,000 acres in 2020.

Based on seed sales, Hoey expected to see planted acreage increase in Oregon this year, but anticipated acres closer to the 740,000 acre range, not lower than 2020.

“The increase in planted acreage over last year was expected, in part due to response to price but also largely in response to the concerns stemming from extreme drought conditions last year,” Hoey said. “For irrigated areas, wheat is a low water intensity crop option, so (it is) a good alternative for a rotation year in which producers may be concerned about the impacts from the drought to water supply.”

Hoey also pointed to an increase in grass seed prices, which likely kept fields in high-value grass seed production. Nationally, wheat farmers seeded nearly 34.4 million acres, up 2.23% from 33.6 million acres in 2021, and up nearly 13% from nearly 30.5 million acres in 2020.

## IN BRIEF

### John Day man guilty in child rape case

CANYON CITY — A Grant County jury on Thursday, Jan. 13, convicted a John Day man of committing sex crimes against a child.

The jury found Philip Joseph Rodriguez, 41, guilty of first-degree rape and first-degree sexual abuse, both Measure 11 offenses.

But the jury found he was not guilty of first-degree sodomy, and the state early in the trial dismissed a charge of first-degree unlawful sexual penetration.

The crimes were committed between late January and early April 2019, and the victim was a girl under the age of 12 who was known to Rodriguez.

The 12-person jury deliberated for a little more than three hours in Grant County Circuit Court before returning the verdict the

afternoon of Jan. 13, the ninth day of the trial.

Rodriguez was taken into custody and lodged at the Grant County Jail to await sentencing.

Under Measure 11, the rape conviction carries a presumptive mandatory minimum sentence of eight years and four months in prison. Because of the victim’s age at the time of the offenses, the judge could choose to impose a mandatory minimum of 25 years under a statute known as Jessica’s Law.

Malheur County Circuit Judge Lung S. Hung presided more than the case.

Prosecuting attorneys Tobias Tingleaf of the Oregon Department of Justice and Riccola Voigt of the Grant County District Attorney’s Office represented the state.

Kathleen Erin Dunn of Strawberry Mountain Law represented Rodriguez.

—EO Media Group

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