

From the Probate Department

by Valerie Squiemphen
Public Administrator

Two documents that are helpful to the Probate Department are the General Information For Probate and the Last Will and Testament

General information for Probate

Soon after the passing of a loved one, the form must be filled out. It is useful to our department to list any major assets of the deceased such as bank accounts, a home, any vehicles, land, a Will, and/or a business. This helps us to determine if the estate has a value of \$3500 or more.

This form will be filled out preferably by whoever is taking care of the funeral arrangements. We need you to answer to the best of your ability. Plus, it will give us information on how we can contact the next of kin should we have any questions.

Will

It is best if a person has a Will, that way, there won't be any fighting over assets of the estate. You can go to an Attorney to have them help you fill out a Will or you can call up the Native American Program, Legal Aid Services of Oregon in Portland, at (800) 546-

0534 (NAPOLS) or you can email them at wills@lasoregon.org. They offer this service free of charge. They can usually meet you in Warm Springs, but you must set up an appointment with them.

The last option is to fill out one of our fill-in Wills. Just stop by the Probate Department and pick up one of the forms. You must have 2 witnesses (neither can be in the Will) and you all must sign in front of Notary Public. Have someone either read it to you and fill it out for you. It's always best to get information beforehand to include in the Will (i.e. allotments, home location, vehicle(s), location of storage units/keys, bank deposit box information, etc.).

Who should make out a will

A person with:
Trust Land. Tribal Home site leases

Own anything of value (i.e. jewelry, artifacts, beadwork, coins)
Checking and/or Savings account

Safe Deposit Box
Credit Life
Money in IIM
Own Livestock
Own Vehicles
Boats
Fishing Nets

**Fishing Spots
Details to rememeber**

• Do not assume other children than your own that you raised will be an heir. They have to be legally adopted or named specifically in your Will.

• If you have several tracts of land, each tract should be assigned to individual persons so the ownership wouldn't be broken down so much, especially if you have a small share.

• Home should be assigned to one or two persons who will take care of the home and it should be specified that everyone in the family is welcome if they don't have a home.

• Legal names with birth dates should be used.

• If divorced and don't want ex-spouse to receive anything, then a survivorship clause should be included

• Remember to specify for heirs to obtain a headstone and someone else if none was obtained.

• Instructions on "giveaway"
• Leave a copy of your Will at Vital Statistics. Superintendent, Probate and/or BIA Realty

• The residue clause at the end of the Will, will be divided up with whomever you name if there is

any money that will come up that you don't specify

• Bills will have to be paid before anything is paid out

• If you have a loan, be sure it is paid up otherwise Credit Life will not be effective; heirs will be responsible for the balance.

• Try to get Credit Life on all credit cards and the heirs won't be responsible for the bills.

• Single people without a Will and without children will go to extended family.

• Non-Indian spouse only have life use of homes.

• They cannot will their life use interest, but on a home can be sold

• If still married, but separated will definitely have to make a Will

• If certain children or grandchildren are using Credit cards or grocery bill, be sure they understand they have to pay on the bills.

• Family taking over the house will be responsible for utility bills, insurance bills and up keep of the home.

• If you have a joint checking/savings account or jointly own a vehicle, this will automatically go to whoever survives

Reasons for making out a will

• Less confusion for heirs and Probate, both Tribal and BIA

• Family won't fight over items or home

• Your instructions can be bet-

ter honored

• Land interests won't be fractionated so much

• Probate hearings may be done sooner

• Whoever is name in the Will, cannot be a witness

• Need 2 witnesses

• Preparer of the Will cannot be in the Will

• Scrivener cannot be in the Will

• No one can force you to make out a Will

• Must be in right mind (not taking medications, no alcoholic beverage, or drugs)

Funeral prearrangements:

• Have forms to make prearrangements

• Give instructions on what kind of funeral you want and which church or longhouse you want to go to

• Instructions on who will be officiating

What Probate staff could do:

Be willing to go to your home. Help retrieve information from Realty.

Get ID number of the heirs. Get witnesses.

The Probate Department would appreciate your assistance by dropping off a copy of the Memory Card for your loved one, so that we can put it in their probate file. Thank you, in advance. Valerie Squiemphen, Public Administrator 541-553-3264.

In the Tribal Court of the Confederated Tribes of Warm Springs

BLAKELY FUNDERBURK, Petitioner, vs JENNIFER MILLER, Respondent; Case No. JV19-12. TO: BLAKELY FUNDERBURK, JENNIFER MILLER, NATALIE THORP:

YOU ARE HEREBY NOTIFIED that an MODIFICATION has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **22ND day of JUNE, 2023 @ 3:00 PM**

LUCINDA HEATH, Petitioner, f/ DELVIS HEATH, vs VERN HEATH, Respondent; Case No. DO35-23. TO: LUCINDA HEATH, DELVIS HEATH, VERN HEATH, VOCS:

YOU ARE HEREBY NOTIFIED that an ELDER PROTECTION ORDER has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **28th day of June , 2023 @ 11:00 AM**

CTWS, Petitioner, vs RAENELE WEASELHEAD, Respondent; Case No. JV41-18. TO: RAENELE WEASELHEAD, WENDI HILLER:

YOU ARE HEREBY NOTIFIED that an ASSISTED GUARDIANSHIP REVIEW has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **22ND day of JUNE, 2023 @ 10:00 AM**

CTWS, Petitioner, vs MARISSA KALAMA, Respondent; Case No. JV30-07. TO: MARISSA KALAMA, KEITH CHARLEY JR, JOHN KALAMA, MARLENE SOHAPPY:

YOU ARE HEREBY NOTIFIED that an ASSISTED GUARDIANSHIP REVIEW has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **22ND day of JUNE, 2023 @ 9:00 AM**

CTWS, Petitioner, vs NORALISSETTE MCKINLEY, Respondent; Case No. Jv105-10, JV25-12. TO: NORALISSETTE MCKINLEY, AARON EAGLESPEAKER:

YOU ARE HEREBY NOTIFIED that an ASSISTED GUARDIANSHIP REVIEW has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **20TH day of JUNE, 2023 @ 10:30 AM**

ARLENE BRYANT, Petitioner, vs CALEB JIM, Respondent; Case No. DO129-15. TO: ARLENE BRYANT, CALEB JIM, VOCS:

YOU ARE HEREBY NOTIFIED that an RESTRAINING ORDER has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **6TH day of JULY, 2023 @ 11:00 AM**

DELVIS GEORGE, Petitioner, vs OLIVIA GLEASON-GEORGE, Respondent; Case No. DO42-23. TO: DELVIS GEORGE, OLIVIA GLEASON-GEORGE:

YOU ARE HEREBY NOTIFIED that an DISSOLUTION OF MARRIAGE has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **10TH day of JULY, 2023 @ 2:30 PM**

LUCINDA HEATH, Petitioner, f/ DELVIS HEATH, vs CHALLIS YAHTIN HEATH, Respondent; Case No. DO34-23. TO: LUCINDA HEATH, DELVIS HEATH, CHALLIS YAHTIN HEATH, VOCS:

YOU ARE HEREBY NOTIFIED that an ELDER PROTECTION ORDER has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the **28TH day of JUNE, 2023 @ 11:00 AM**

PROBATE

In the matter of the Estate of Kenneth L. Smith, W.S., U/A Deceased Estate File #2020-PR23. TO: Francelia Miller:

YOU ARE HEREBY NOTIFIED that a probate hearing is scheduled for August 22, 2023 at 10:00am. This hearing will be held in person, and by telephone in a virtual courtroom. Dial: 1-302-281-5157, PIN: 614 428 797 #.

In the matter of the Estate of Percy Jack, W.S., U/A Deceased Estate File #2019-PR32. FINAL ACCOUNT - Petition & Order Setting Time for Filing Objections. IT I HEREBY ORDERED that the Setting Time for Objection is **6/19/2023**. Any Objections filed must be received in the Warm Springs Tribal Probate Department on or before 6/19/2023.

IT IS FURTHER ORDERED that any objections to the Final Account or to the proposed determination of the heirs or devisees, or to the proposed distributive share each distributee is to receive is to be filed in written form to Warm Springs Tribal Probate Department. The mailing address is PO Box C, Warm Springs, OR 97761, or brought to the physical

address at 1233 Veterans, Warm Springs, OR 97761.

In the matter of the Estate of Percy Jack, W.S., U/A Deceased Estate File #2019-PR32. Affidavit of Giving Notice of Final Account & Order Setting Time for Filing Objections:

The undersigned duly appointed, qualified and Appointed Administrator of the above entitled estate, being first duly sworn on oath and say as follows: 1. That I caused to be prepared a Final Account and Petition and Order Setting Time for Filing Objections in the manner and Form attached hereto and made a part of this affidavit: That such Notice was given by: (a) US Postal first class mailing (b) Posting true copies thereof in three public places within the Warm Springs Indian Reservation: 1. Warm Springs Market 2. Warm Springs Tribal Court 3. Warm Springs Post Office (c) Given to Spilyay Tymoo for posting in their publication.

In the matter of the Estate of Yvonne V. Tapedo, W.S., U/A Deceased Estate File #2017-PR08. FINAL ACCOUNT - Petition & Order Setting Time for Filing Objections:

IT I HEREBY ORDERED that the Setting Time for Objection is **6/12/2023**. Any Objections filed must be received in the Warm Springs Tribal Probate Department on or before 6/12/2023.

IT IS FURTHER ORDERED that any objections to the Final Account or to the proposed determination of the heirs or devisees, or to the proposed distributive share each distributee is to receive is to be filed in written form to Warm Springs Tribal Probate Department. The mailing address is PO Box C, Warm Springs, OR 97761, or brought to the physical address at 1233 Veterans, Warm Springs, OR 97761.

In the matter of the Estate of Yvonne V. Tapedo, W.S., U/A Deceased Estate File #2017-PR08. Affidavit of Giving Notice of Final Account & Order Setting Time for Filing Objections:

The undersigned duly appointed, qualified and Appointed Administrator of the above entitled estate, being first duly sworn on oath and say as follows: 1. That I caused to be prepared a Final Account and Petition and Order Setting Time for Filing Objections in the manner and Form attached hereto and made a part of this affidavit: That such Notice was given by: (a) US Postal first class mailing (b) Posting true copies thereof in three public places within the Warm Springs Indian Reservation: 1. Warm Springs Market 2. Warm Springs Tribal Court 3. Warm Springs Post Office (c) Given to Spilyay Tymoo for posting in their publication.

In the matter of the Estate of

Greatting ready for Pi-Ume-Sha

The Pi-Ume-Sha Treaty Days celebration is coming up the weekend of June 23-26. Vendors can call Louise Katchia, while Queen candidates can contact Louise or Sharon Katchia.

Families and friends planning to sponsor a special can call Louise, Sharon or Ramona Baez. Their numbers are: Louise, 541-460-0224. Sharon 541-295-6046. Ramona, 541-460-0077.

Fisheries

(from page 3)

While the fish are off the coast, there are no salmon fisheries happening then.

Question: How were the numbers and allocations set?

Answer: The allowed harvest rates change with different run sizes. Harvest rates are lower at low run sizes and higher at higher run sizes.

The river mouth run size is calculated as the Bonneville count plus all fishery impacts on upriver fish (both landed catch and release mortalities).

There is also a catch balance provision that says that the non-treaty fisheries (all the mainstem fisheries plus WDFW sport fisheries in the lower Snake River) can no kill more fish that the tribes are allowed to catch. So both their landed catch plus their release mortalities count.

Pi-Ume-Sha Rodeo Special Announcement!

Buck Smith Memorial Wild Horse Race



The wild horse race at the Pi-Ume-Sha Treaty Days Rodeo will be a 2-man Wild Horse Race with a "St.Paul" style finish under the announcer's crows nest. Buck Smith has a long-standing history in wild horse racing, which led him to be inducted into the St. Paul Rodeo Hall of Fame. Buck is known for making the sport of Wild Horse Racing bigger and better. He had a hand in raising many cowboys and cowgirls who continue to rodeo today.

Jeri A. Smith, W.S., U/A Deceased Estate File #2022-PR09. TO: Lace Frank, Jerome Tall Bull, Aaron Heath:

YOU ARE HEREBY NOTIFIED that a probate hearing is scheduled for **AUGUST 29, 2023 AT 9 AM**. This hearing will be held in person, and by telephone in a virtual courtroom. Dial: 1-484-816-5096. PIN: 172 819 627 #, or via conference link <https://meet-google.com/trt-txyh-fus>

In the matter of the Estate of Jeri A. Smith, W.S., U/A Deceased Estate File #2022-PR09. FINAL ACCOUNT - Petition & Order Setting Time for Filing Objections:

IT I HEREBY ORDERED that the Setting Time for Objection is **6/19/2023**. Any Objections filed must be received in the Warm Springs Tribal Probate Department on or before 6/19/2023.

IT IS FURTHER ORDERED that any objections to the Final Account or to the proposed determination of the heirs or devisees, or to the proposed distributive share each distributee is to receive is to be filed in written form

to Warm Springs Tribal Probate Department. The mailing address is PO Box C, Warm Springs, OR 97761, or brought to the physical address at 1233 Veterans, Warm Springs, OR 97761.

In the matter of the Estate of Jeri A. Smith, W.S., U/A Deceased Estate File #2022-PR09. Affidavit of Giving Notice of Final Account & Order Setting Time for Filing Objections:

The undersigned duly appointed, qualified and Appointed Administrator of the above entitled estate, being first duly sworn on oath and say as follows: 1. That I caused to be prepared a Final Account and Petition and Order Setting Time for Filing Objections in the manner and Form attached hereto and made a part of this affidavit: That such Notice was given by: (a) US Postal first class mailing (b) Posting true copies thereof in three public places within the Warm Springs Indian Reservation: 1. Warm Springs Market 2. Warm Springs Tribal Court 3. Warm Springs Post Office (c) Given to Spilyay Tymoo for posting in their publication.