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Return of Private Foundation

or Section 4947(a)(1) Nonexempt Charitable Trust

Treated as a Private Foundation

2009

Department of the Treasury
Internal Revenue Service (77)

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements

For calendar year 2009, or tax year beginning

, and ending

G Check all that apply:

☐ Initial return☐ Initial Return of a former public charity☐ Final return☐ Amended return☐ Address change☐ Name changeUse the IRS
label.
Otherwise,
print
or type.
See Specific
Instructions.

Name of foundation

THE ROBERT I. WISHNICK FOUNDATION

Number and street (or P O box number if mail is not delivered to street address)

POST OFFICE BOX 681869

City or town, state, and ZIP code

PARK CITY, UT 84068

A Employer identification number

13-6068668

B Telephone number

(435) 657-0527

C If exemption application is pending, check here ☐D 1. Foreign organizations, check here ☐2. Foreign organizations meeting the 85% test,
check here and attach computation ☐E If private foundation status was terminated
under section 507(b)(1)(A), check here ☐F If the foundation is in a 60-month termination
under section 507(b)(1)(B), check here ☐

H Check type of organization

☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

I Fair market value of all assets at end of year

(from Part II, col. (c), line 16)

\$ 7,275,096.

J Accounting method

☒ Cash☐ Accrual☐ Other (specify)

(Part I, column (d) must be on cash basis.)

Part I Analysis of Revenue and Expenses(The total of amounts in columns (b), (c), and (d) may not
necessarily equal the amounts in column (a))(a) Revenue and
expenses per books(b) Net investment
income(c) Adjusted net
income(d) Disbursements
for charitable purposes
(cash basis only)

1 Contributions, gifts, grants, etc., received

2 Check ☒ if the foundation is not required to attach Sch B3 Interest on savings and temporary
cash investments

4 Dividends and interest from securities

5a Gross rents

b Net rental income or (loss)

6a Net gain or (loss) from sale of assets not on line 10

b Gross sales price for all
assets on line 6a

7 Capital gain net income (from Part IV, line 2)

8 Net short-term capital gain

9 Income modifications

10a Gross sales less returns
and allowances

b Less Cost of goods sold

c Gross profit or (loss)

11 Other income

12 Total. Add lines 1 through 11

13 Compensation of officers, directors, trustees, etc

14 Other employee salaries and wages

15 Pension plans, employee benefits

16a Legal fees

b Accounting fees

STMT 3

c Other professional fees

17 Interest

18 Taxes

STMT 4

19 Depreciation and depletion

20 Occupancy

21 Travel, conferences, and meetings

22 Printing and publications

23 Other expenses

STMT 5

24 Total operating and administrative
expenses. Add lines 13 through 23

25 Contributions, gifts, grants paid

26 Total expenses and disbursements.

Add lines 24 and 25

27 Subtract line 26 from line 12

a Excess of revenue over expenses and disbursements

b Net investment income (if negative, enter -0-)

c Adjusted net income (if negative, enter -0-)

27,785.

27,785.

432,761.

432,761.

<86,089.>

0.

374,457.

460,546.

0.

0.

0.

5,540.

4,155.

1,385.

10,960.

0.

0.

20,342.

15,257.

5,085.

36,842.

19,412.

6,470.

295,657.

295,657.

332,499.

19,412.

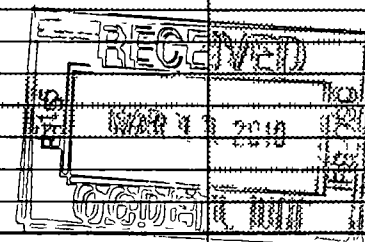
302,127.

41,958.

441,134.

N/A

SCANNED MAR 12 2010



914 P 11

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only		Beginning of year	End of year	
				(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1	Cash - non-interest-bearing				
	2	Savings and temporary cash investments		731,188.	443,165.	443,165.
	3	Accounts receivable ▶				
		Less: allowance for doubtful accounts ▶				
	4	Pledges receivable ▶				
		Less: allowance for doubtful accounts ▶				
	5	Grants receivable				
	6	Receivables due from officers, directors, trustees, and other disqualified persons				
	7	Other notes and loans receivable ▶				
		Less: allowance for doubtful accounts ▶				
	8	Inventories for sale or use				
	9	Prepaid expenses and deferred charges				
	10a	Investments - U.S. and state government obligations STMT 7		200,188.	333,921.	333,921.
	b	Investments - corporate stock STMT 8		411,629.	767,605.	767,605.
	c	Investments - corporate bonds STMT 9		2,504,003.	3,188,645.	3,188,645.
11	Investments - land, buildings, and equipment basis ▶					
	Less: accumulated depreciation ▶					
12	Investments - mortgage loans					
13	Investments - other STMT 10		2,147,275.	2,541,760.	2,541,760.	
14	Land, buildings, and equipment basis ▶					
	Less: accumulated depreciation ▶					
15	Other assets (describe ▶)					
16	Total assets (to be completed by all filers)		5,994,283.	7,275,096.	7,275,096.	
Liabilities	17	Accounts payable and accrued expenses				
	18	Grants payable				
	19	Deferred revenue				
	20	Loans from officers, directors, trustees, and other disqualified persons				
	21	Mortgages and other notes payable				
	22	Other liabilities (describe ▶)				
23	Total liabilities (add lines 17 through 22)		0.	0.		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ <input checked="" type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.					
	24	Unrestricted		5,994,283.	7,275,096.	
	25	Temporarily restricted				
	26	Permanently restricted				
	Foundations that do not follow SFAS 117, check here ▶ <input type="checkbox"/> and complete lines 27 through 31.					
	27	Capital stock, trust principal, or current funds				
	28	Paid-in or capital surplus, or land, bldg, and equipment fund				
	29	Retained earnings, accumulated income, endowment, or other funds				
	30	Total net assets or fund balances		5,994,283.	7,275,096.	
	31	Total liabilities and net assets/fund balances		5,994,283.	7,275,096.	

Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	5,994,283.
2	Enter amount from Part I, line 27a	2	41,958.
3	Other increases not included in line 2 (itemize) ▶ SEE STATEMENT 6	3	1,238,855.
4	Add lines 1, 2, and 3	4	7,275,096.
5	Decreases not included in line 2 (itemize) ▶	5	0.
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	7,275,096.

Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co.)	(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a SEE ATTACHED SCHEDULE	P	VARIOUS	VARIOUS
b			
c			
d			
e			

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a 1,118,078.		1,204,167.	<86,089.>
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
a			<86,089.>
b			
c			
d			
e			

2 Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7	2	<86,089.>
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter -0- in Part I, line 8		3	N/A

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	337,294.	6,719,490.	.050196
2007	367,067.	7,365,717.	.049835
2006	368,821.	7,310,362.	.050452
2005	343,052.	7,384,243.	.046457
2004	365,781.	7,581,556.	.048246

2 Total of line 1, column (d)	2	.245186
3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	.049037
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	6,273,850.
5 Multiply line 4 by line 3	5	307,651.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	4,411.
7 Add lines 5 and 6	7	312,062.
8 Enter qualifying distributions from Part XII, line 4 If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions	8	302,127.

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary-see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b		1	8,823.
c All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)			
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	0.
3 Add lines 1 and 2		3	8,823.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	0.
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	8,823.
6 Credits/Payments			
a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	9,600.	
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c		
d Backup withholding erroneously withheld	6d		
7 Total credits and payments Add lines 6a through 6d	7	9,600.	
8 Enter any penalty for underpayment of estimated tax. Check here <input checked="" type="checkbox"/> if Form 2220 is attached	8		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9		
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	777.	
11 Enter the amount of line 10 to be Credited to 2010 estimated tax	11	777.	Refunded

Part VII-A Statements Regarding Activities

	Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		X
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation <input type="checkbox"/> \$ 0. (2) On foundation managers <input type="checkbox"/> \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV.	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) <input type="checkbox"/> IL		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(i)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► N/A	13		X
14	The books are in care of ► WILLIAM WISHNICK Located at ► PO BOX 681869, PARK CITY, UT Telephone no ► (435) 657-0527 ZIP+4 ► 84068			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year	15		N/A

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

	Yes	No
1a During the year did the foundation (either directly or indirectly)		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here		X
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))		
a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? If "Yes," list the years ►	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions)	N/A	
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here ►		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)	N/A	
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?		X

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Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

Organizations relying on a current notice regarding disaster assistance check here

☒

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

N/A

☐ Yes ☐ No

If "Yes," attach the statement required by Regulations section 53.4945-5(d).

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

☐ Yes ☒ No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

If "Yes" to 6b, file Form 8870.

6b

X

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

7b

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (if not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
SEE STATEMENT 11		0.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1). If none, enter "NONE."

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over \$50,000

0

Part VIII**Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors** (continued)**3** Five highest-paid independent contractors for professional services. If none, enter "NONE."

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		

Total number of others receiving over \$50,000 for professional services

0

Part IX-A**Summary of Direct Charitable Activities**

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.

	Expenses
1 N/A	
	0.
2	
3	
4	

Part IX-B**Summary of Program-Related Investments**

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2

	Amount
1	
2	
All other program-related investments See instructions.	
3 N/A	

Total. Add lines 1 through 3

0.

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Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a	Average monthly fair market value of securities	1a	5,676,025.
b	Average of monthly cash balances	1b	693,366.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	6,369,391.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	6,369,391.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	95,541.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	6,273,850.
6	Minimum investment return. Enter 5% of line 5	6	313,693.

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6	1	313,693.
2a	Tax on investment income for 2009 from Part VI, line 5	2a	8,823.
b	Income tax for 2009 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	8,823.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	304,870.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	304,870.
6	Deduction from distributable amount (see instructions)	6	0.
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	304,870.

Part XII Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	302,127.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	302,127.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	0.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	302,127.

Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				304,870.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004				
b From 2005				
c From 2006	11,037.			
d From 2007	6,768.			
e From 2008	10,679.			
f Total of lines 3a through e	28,484.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ 302,127.				
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				302,127.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	2,743.			2,743.
6 Enter the net total of each column as indicated below:	25,741.			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5				
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b Taxable amount - see instructions		0.		
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount - see instr			0.	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	25,741.			
10 Analysis of line 9				
a Excess from 2005				
b Excess from 2006	8,294.			
c Excess from 2007	6,768.			
d Excess from 2008	10,679.			
e Excess from 2009				

Part XV Supplementary Information (continued)**3. Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a <i>Paid during the year</i> STATEMENT PART XV	N/A	EXEMPT	GENERAL	295,657.
Total			▶ 3a	295,657.
b <i>Approved for future payment</i> NONE				
Total			▶ 3b	0.

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCEAMOUNT

MORGAN STANLEY

27,785.

TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A

27,785.

FORM 990-PF	DIVIDENDS AND INTEREST FROM SECURITIES	STATEMENT	2
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SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
MORGAN STANLEY	439,940.	0.	439,940.
MORGAN STANLEY-ACCD INTEREST	<7,179.>	0.	<7,179.>
TOTAL TO FM 990-PF, PART I, LN 4	432,761.	0.	432,761.

FORM 990-PF

ACCOUNTING FEES

STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FLEISCHMAN PLLC	5,540.	4,155.		1,385.
TO FORM 990-PF, PG 1, LN 16B	5,540.	4,155.		1,385.

FORM 990-PF

TAXES

STATEMENT

4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FEDERAL EXCISE TAX	10,960.	0.		0.
TO FORM 990-PF, PG 1, LN 18	10,960.	0.		0.

FORM 990-PF

OTHER EXPENSES

STATEMENT

5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
OFFICE SUPPLIES & EXPENSES	20,342.	15,257.		5,085.
TO FORM 990-PF, PG 1, LN 23	20,342.	15,257.		5,085.

FORM 990-PF	OTHER INCREASES IN NET ASSETS OR FUND BALANCES	STATEMENT	6
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DESCRIPTIONAMOUNT

UNREALIZED GAINS ON MARKETABLE SECURITIES

1,238,855.

TOTAL TO FORM 990-PF, PART III, LINE 3

1,238,855.

FORM 990-PF	U.S. AND STATE/CITY GOVERNMENT OBLIGATIONS	STATEMENT	7
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DESCRIPTION	U.S. GOV'T	OTHER GOV'T	BOOK VALUE	FAIR MARKET VALUE
SEE ATTACHED SCHEDULE	X		333,921.	333,921.
TOTAL U.S. GOVERNMENT OBLIGATIONS			333,921.	333,921.
TOTAL STATE AND MUNICIPAL GOVERNMENT OBLIGATIONS				
TOTAL TO FORM 990-PF, PART II, LINE 10A			333,921.	333,921.

FORM 990-PF

CORPORATE STOCK

STATEMENT 8

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SEE ATTACHED SCHEDULE	767,605.	767,605.
TOTAL TO FORM 990-PF, PART II, LINE 10B	767,605.	767,605.

FORM 990-PF

CORPORATE BONDS

STATEMENT

9

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SEE ATTACHED SCHEDULE	3,188,645.	3,188,645.
TOTAL TO FORM 990-PF, PART II, LINE 10C	3,188,645.	3,188,645.

FORM 990-PF	OTHER INVESTMENTS	STATEMENT 10
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DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
SEE ATTACHED SCHEDULE	COST	1,509,080.	1,509,080.
SEE ATTACHED SCHEDULE	COST	787,880.	787,880.
SEE ATTACHED SCHEDULE	COST	244,800.	244,800.
TOTAL TO FORM 990-PF, PART II, LINE 13		2,541,760.	2,541,760.

FORM 990-PF

PART VIII - LIST OF OFFICERS, DIRECTORS
TRUSTEES AND FOUNDATION MANAGERS

STATEMENT 11

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN- SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
WILLIAM WISHNICK PO BOX 681869 PARK CITY, UT 84068	PRESIDENT AND DIRECTOR 0.00	0.	0.	0.
LISA WISHNICK PO BOX 681869 PARK CITY, UT 84068	VICE-PRES AND DIRECTOR 0.00	0.	0.	0.
AMI JO GIBSON 4801 WEST CHARLIE'S PLACE RATHDRUM, ID 83858	DIRECTOR 0.00	0.	0.	0.
GINA GROSSMAN 1853 NORTH VISTA STREET LOS ANGELES, CA 90046	DIRECTOR 0.00	0.	0.	0.
KENDALL WISHNICK ADAMS 12334 NORTH BOYER ROAD SANDPOINT, ID 83864	DIRECTOR 0.00	0.	0.	0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		0.	0.	0.

The Robert I Wishnick Foundation

1/1/2009 through 12/31/2009

Security	Shares	Bought	Sold	Gross Proceeds	Cost Basis	Realized Gain/Loss
MORGAN JP & CO 6% 01/15/09	70,000.00	12/18/2002	1/15/2009	70,000.00	73,099.95	(3,099.95)
PROVIDENT NAT BK 5.5% 1/16/09	95,000.00	2/19/2002	1/16/2009	95,000.00	96,074.45	(1,074.45)
STHN FINL FED SVG 4% 3/13/13	50,000.00	3/13/2003	3/13/2009	50,000.00	50,000.00	-
FNMA Step-Up Call NTS 5% 93019	100,000.00	9/7/2004	4/2/2009	100,000.00	100,000.00	-
FNMA CALL 5.0% 12/16/19	100,000.00	12/15/2004	4/2/2009	100,000.00	99,992.50	7.50
Citigroup Series AA 8.125%	10,000.00	1/22/2008	4/14/2009	197,535.65	250,000.00	(52,464.35)
Citigroup Capital 7.875% 12/15/67	400	11/21/2007	5/11/2009	8,548.53	10,000.00	(1,451.47)
Citigroup Capital 7.875% 12/15/67	3,300.00	11/21/2007	5/11/2009	70,360.36	82,500.00	(12,139.64)
Citigroup Capital 7.875% 12/15/67	4,300.00	11/21/2007	5/11/2009	91,633.40	107,500.00	(15,866.60)
M&I BK WI US 5% 7/15/16	50,000.00	6/29/2004	7/15/2009	50,000.00	50,000.00	-
Washington Mut Bk 4.75% 103009	95,000.00	10/26/2007	10/30/2009	95,000.00	95,000.00	-
Westernbank Pr 4.75% 110209	95,000.00	10/26/2007	11/2/2009	95,000.00	95,000.00	-
BANCO POPULAR PR 4.8% 11/09/06	95,000.00	10/31/2007	11/9/2009	95,000.00	95,000.00	-
				1,118,077.94	1,204,166.90	(86,088.96)

THE ROBERT I. WISHNICK FOUNDATION**PART XV - 3a: CONTRIBUTIONS PAID DURING THE YEAR****December 31, 2009**

Adopt a Native American Elder	N/A	GENERAL	26,000
Alabama Animal Adoption Society	N/A	GENERAL	400
American Ballet Theatre	N/A	GENERAL	3,000
American Friends of The Hebrew University	N/A	GENERAL	5,000
Arts Kids Inc	N/A	GENERAL	5,000
Barnard College	N/A	GENERAL	2,000
Career Transition for Dancers	N/A	GENERAL	1,500
The Charaplast, Inc.	N/A	GENERAL	4,000
Concerned People for Animals	N/A	GENERAL	75,000
Darrell Gwynn Foundation	N/A	GENERAL	2,000
Deartrees Theatre	N/A	GENERAL	1,000
Easter Seals	N/A	GENERAL	150
Fernan Rod & Gun Club Inc.	N/A	GENERAL	5,000
Friends of Rathdrum Mountain	N/A	GENERAL	250
Friends of Wasatch Mountain State Park	N/A	GENERAL	500
Gesundheit Foundation	N/A	GENERAL	12,000
HCCA	N/A	GENERAL	120
Heal Utah	N/A	GENERAL	250
Hollygrove	N/A	GENERAL	2,500
Humane Society of Utah	N/A	GENERAL	400
Humble Ranch Educaton & Therapy Center	N/A	GENERAL	2,000
Image Reborn Foundation of Utah	N/A	GENERAL	15,000
Israel Guide Dog Center for the Blind	N/A	GENERAL	5,000
Jeanne Wagner Jewish Community Center	N/A	GENERAL	3,000
Jump for the Cause	N/A	GENERAL	750
Junior Seau Foundation	N/A	GENERAL	8,000
KPCW Public Broadcasting	N/A	GENERAL	1,000
KUED Public Television	N/A	GENERAL	750
Kehilat Har-Elo	N/A	GENERAL	1,000
Kostopulos Dream Foundation	N/A	GENERAL	2,000
McPolin Elementary School	N/A	GENERAL	1,000
Metropolitan Opera Association	N/A	GENERAL	3,000
Mountain Horse Medical & Rescue	N/A	GENERAL	3,500
National Fire Arms Education Foundation	N/A	GENERAL	2,000
National Parks and Conservation Association	N/A	GENERAL	500
National Wildlife Federation	N/A	GENERAL	500
National Yiddish Theatre Folks Bieno	N/A	GENERAL	5,000
New York City Ballet	N/A	GENERAL	3,000
New York State Troopers Foundation	N/A	GENERAL	2,000
North Idaho College	N/A	GENERAL	2,000
Planned Parenthood of Utah	N/A	GENERAL	1,000
Primary Children's Medical Center	N/A	GENERAL	6,500

THE ROBERT I. WISHNICK FOUNDATION**PART XV - 3a: CONTRIBUTIONS PAID DURING THE YEAR****December 31, 2009**

Rape Recovery Center	N/A	GENERAL	1,000
Rathdrum Public Library	N/A	GENERAL	500
School of American Ballet	N/A	GENERAL	5,300
SCRAPS	N/A	GENERAL	2,000
Shadow Hills Baptist Church	N/A	GENERAL	2,000
Southern Utah Wilderness Alliance	N/A	GENERAL	1,000
Susan Konem Race for the Cure	N/A	GENERAL	1,000
UCLA Animal Connection	N/A	GENERAL	10,000
US Ski & Snowboarding Team Foundation	N/A	GENERAL	500
United Jewish Federation of Utah	N/A	GENERAL	32,252
University of Idaho	N/A	GENERAL	1,000
Utah Philanthropy Day	N/A	GENERAL	1,000
Utah State Fraternal Order of Police	N/A	GENERAL	35
York Theatre	N/A	GENERAL	2,500
Youth Wintersports Alliance	N/A	GENERAL	<u>21,000</u>

Total

295,657

THE ROBERT I. WISHNICK FOUNDATION

SECURITIES INVESTMENT SCHEDULE

DECEMBER 31, 2009

	Maturity	Face Value /Shares	Rate	Cost	Market
Line 10a: U.S. Government and Agency Bonds & Notes					
FNMA	11/16/14	350,000	4.000%	349,698	333,921
				<u>\$349,698</u>	<u>\$333,921</u>

Line 10b: Corporate Stock/Other Equity Securities

Eaton Vance Prime Rate Reserves Fund		57,719.601		650,660	581,236
Van Kampen Senior Loan Fund, Class B		30,205.743		300,863	186,369
				<u>\$951,523</u>	<u>\$767,605</u>

Line 10c: Corporate Notes and Bonds

General Motors Acceptance Corp.	1/19/10	150,000	7.750%	159,869	150,069
GTE Northwest, Inc.	6/1/10	100,000	6.300%	102,779	101,940
GE Global Insurance	6/15/10	100,000	7.500%	113,293	102,607
Anheuser Busch	10/1/10	200,000	4.625%	201,951	206,826
General Motors Corp.	1/15/11	400,000	7.200%	371,444	108,000
General Motors Acceptance Corp.	9/15/11	100,000	6.875%	100,420	98,948
Household Finance Corp.	12/15/11	100,000	7.100%	107,893	105,675
Federated Retail	3/15/12	50,000	5.350%	49,471	51,062
General Electric Capital Corp.	6/15/12	100,000	6.000%	101,805	107,791
Verizon Communications	2/15/13	200,000	4.350%	194,171	209,204
American Express	5/2/13	200,000	5.875%	195,975	214,632
Kraft Foods Inc.	10/1/13	100,000	5.250%	104,255	105,674
Marathon Oil Corp.	2/15/14	150,000	6.500%	160,567	165,924
General Electric Capital Corp.	6/9/14	275,000	5.650%	251,287	293,626
Home Depot Inc. Notes	3/1/16	250,000	5.400%	240,975	261,715
Hartford Life Insurance Co.	6/15/16	100,000	6.000%	100,000	99,399
CVS Corp.	8/15/16	150,000	6.125%	158,710	161,525
Morgan Stanley Notes	10/18/16	200,000	5.750%	195,965	207,512
General Electric Capital Corp.	10/20/16	100,000	5.375%	101,385	103,974
Goldman Sachs Group Inc.	1/15/17	250,000	5.625%	234,710	255,340
Hartford Life Insurance Notes	3/15/17	80,000	5.500%	78,238	77,202
				<u>\$3,325,163</u>	<u>\$3,188,645</u>

THE ROBERT I. WISHNICK FOUNDATION

SECURITIES INVESTMENT SCHEDULE

DECEMBER 31, 2009

	Maturity	Face Value /Shares	Rate	Cost	Market
Line 13:Other Investments - Fixed-Rate Capital Securities					
AIG Series A-5	12/18/62	10,000	7.700%	244,638	154,700
M&T Capital Trust IV	1/31/68	8,000	8.500%	200,000	211,760
Suntrust Cap IX	3/15/68	4,000	7.875%	100,000	97,080
Wells Fargo Capital XII	3/15/68	2,000	7.875%	50,000	51,340
Wells Fargo Capital XIV	9/14/68	10,000	8.625	250,000	273,000
				<u>\$844,638</u>	<u>\$787,880</u>
Line 13:Other Investments - Common & Preferred Stock					
Common Stock					
Powershares ETF Trust Financial		15,000		<u>179,766</u>	<u>244,800</u>
Preferred Stock					
Bank of America		8,000	8.2	200,000	193,360
Bank of America		10,000	8.625	244,165	245,400
Barclays Bank Plc Ser 4		10,000	7.750%	246,789	238,300
Credit Suisse		10,000	7.900%	250,000	256,800
Deutsche Bank Cont. Cap III		10,000	7.600%	247,119	237,300
ING Groep NV		6,000	8.500%	150,000	131,520
Lehman Brothers Holdings		10,000	7.950%	250,000	800
Wells Fargo		8,000	8.000%	<u>183,639</u>	<u>205,600</u>
				<u>\$ 1,771,712</u>	<u>\$ 1,509,080</u>