Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust Treated as a Private Foundation

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

OMB No 1545-0052

2009

For calendar year 2009, or tax year beginning , 2009, and ending , 20

G Check all that apply: ☐ Initial return ☐ Initial return of a former public charity ☐ Final return ☐ Amended return ☐ Address change ☐ Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.

Name of foundation: KGE PROJECT DESERVE TRUST FUND

A Employer identification number: 48-6268846

Number and street (or P O. box number if mail is not delivered to street address): 818 SOUTH KANSAS AVENUE — Room/suite:

B Telephone number (see page 10 of the instructions): 785-575-6343

City or town, state, and ZIP code: TOPEKA, KS 66612

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) ▶ $ 1,585,481

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) (see page 11 of the instructions).)*

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc, received (attach schedule)				
	2 Check ▶ ☐ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities	47,133	47,133		
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	-136,137			
	b Gross sales price for all assets on line 6a 488,719				
	7 Capital gain net income (from Part IV, line 2)		0		
	8 Net short-term capital gain			0	
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule) SCH 1	131			
	12 **Total.** Add lines 1 through 11	-88,873	47,133		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc				
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)				
	b Accounting fees (attach schedule)				
	c Other professional fees (attach schedule)				
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions) SCH 1	109	109		
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule) SCH 1	4,098			4,098
	24 **Total operating and administrative expenses.** Add lines 13 through 23	4,207	109		4,098
	25 Contributions, gifts, grants paid	77,750			77,750
	26 **Total expenses and disbursements.** Add lines 24 and 25	81,957	109		81,848
	27 Subtract line 26 from line 12				
	a **Excess of revenue over expenses and disbursements**	-170,830			
	b **Net investment income** (if negative, enter -0-)		47,024		
	c **Adjusted net income** (if negative, enter -0-)				

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Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only. (See instructions.)

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets				
1	Cash - non-interest-bearing	35,541	31,829	31,829
2	Savings and temporary cash investments			
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 (attach schedule) (see page 16 of the instructions)			
7	Other notes and loans receivable (attach schedule) ▶			
	Less: allowance for doubtful accounts ▶			
8	Inventories for sale or use			
9	Prepaid expenses and deferred charges			
10 a	Investments - U.S and state government obligations (attach schedule)			
b	Investments - corporate stock (attach schedule) SCH 2	945,924	824,302	847,168
c	Investments - corporate bonds (attach schedule) SCH 2	708,280	662,785	706,484
11	Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
12	Investments - mortgage loans			
13	Investments - other (attach schedule)			
14	Land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
15	Other assets (describe ▶)			
16	**Total assets** (to be completed by all filers - see the instructions. Also, see page 1, item I)	1,689,745	1,518,916	1,585,481
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 (attach schedule)			
22	Other liabilities (describe ▶)			
23	**Total liabilities** (add lines 17 through 22)			
Net Assets or Fund Balances				
	Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.			
24	Unrestricted			
25	Temporarily restricted			
26	Permanently restricted	1,689,745	1,518,916	
	Foundations that do not follow SFAS 117, check here 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** (see page 17 of the instructions)	1,689,745	1,518,916	
31	**Total liabilities and net assets/fund balances** (see page 17 of the instructions)	1,689,745	1,518,916	

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	1,689,745
2	Enter amount from Part I, line 27a	2	-170,830
3	Other increases not included in line 2 (itemize) ▶ Rounding	3	1
4	Add lines 1, 2, and 3	4	1,518,916
5	Decreases not included in line 2 (itemize) ▶	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	1,518,916

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	SCHEDULE 3	P	VARIOUS	2009
b	VANGAURD INTERMEDIATE TERM CORP FUND CAPITAL GAIN DISTRIBUTION	P	VARIOUS	2009
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	488,509		624,857	-136,348
b	211			211
c				
d				
e				

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

	(i) F.M.V. 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				-136,348
b				211
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** -136,137

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) (see pages 13 and 17 of the instructions). If (loss), enter -0- in Part I, line 8. **3**

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 page 18 of the 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	113,631	1,645,186	0.0691
2007	114,597	1,894,853	0.0605
2006	111,216	1,839,580	0.0605
2005	103,975	1,794,840	0.0579
2004	94,606	1,519,045	0.0623

2	**Total** of line 1, column (d)	2	0.3103
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	0.0621
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	1,421,712
5	Multiply line 4 by line 3	5	88,288
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	470
7	Add lines 5 and 6	7	88,758
8	Enter qualifying distributions from Part XII, line 4	8	81,848

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 on page 18

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see page 18 of the instructions)

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1. Date of ruling or determination letter ____________ (attach copy of ruling letter if necessary - see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ ☐ and enter 1% of Part I, line 27b	1	941
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	
3	Add lines 1 and 2	3	941
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	4	
5	**Tax based on investment income.** Subtract line 4 from line 3. If zero or less, enter -0-	5	941
6	Credits/Payments:		
a	2009 estimated tax payments and 2008 overpayment credited to 2009 — 6a: 1,966		
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	1,966
8	Enter any **penalty** for underpayment of estimated tax. Check here ☐ 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	1,025
11	Enter the amount of line 10 to be: **Credited to 2010 estimated tax** ▶ 1,025 **Refunded** ▶	11	

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?	1a		X
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)?	1b		X
	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.			
c	Did the foundation file **Form 1120-POL** for this year?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation ▶ $ ________ (2) On foundation managers ▶ $ ________			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ▶ $ ________			
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.*	2		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*	3		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	4b		X
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T.*	5		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?	6	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.*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ▶ ________			
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*	8b	X	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV on page 27)? *If "Yes," complete Part XIV*	9		X
10	Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses*	10		X

Part VII-A Statements Regarding Activities *(continued)*

			Yes	No
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 page 20 of the 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?	13	X	

Website address ▶

14 The books are in care of ▶ THE COMMERCE TRUST COMPANY Telephone no. ▶ 316-261-4634

Located at ▶ PO BOX 637, WICHITA, KS ZIP + 4 ▶ 67202

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

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?	☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ 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)?	☐ Yes ☒ 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.)	☐ Yes ☒ 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)? N/A		1b		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐				
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?		1c		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?	☐ Yes ☒ No			
	If "Yes," list the years ▶				
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 page 20 of the instructions.) N/A		2b		
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?	☐ Yes ☒ 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		3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a		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?		4b		X

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)? (see page 22 of the instructions) ☐ 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 page 22 of the instructions)? N/A **5b**

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? **6b** No: X

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

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 (see page 22 of the instructions).

(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
SCHEDULE 4				

2 Compensation of five highest-paid employees (other than those included on line 1 - see page 23 of the instructions). 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 (see page 23 of the instructions). 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	
2	
3	
4	

Part IX-B **Summary of Program-Related Investments** (see page 23 of the instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.	Amount
1 N/A	
2 N/A	
All other program-related investments See page 24 of the instructions	
3 N/A	
Total. Add lines 1 through 3 ▶	

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see page 24 of the 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	1,398,877
b	Average of monthly cash balances	1b	44,485
c	Fair market value of all other assets (see page 24 of the instructions)	1c	
d	**Total** (add lines 1a, b, and c)	1d	1,443,362
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation) 1e		
2	Acquisition indebtedness applicable to line 1 assets	2	
3	Subtract line 2 from line 1d	3	1,443,362
4	Cash deemed held for charitable activities. Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	21,650
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3. Enter here and on Part V, line 4	5	1,421,712
6	**Minimum investment return.** Enter 5% of line 5	6	71,086

Part XI Distributable Amount (see page 25 of the 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	71,086
2a	Tax on investment income for 2009 from Part VI, line 5	2a	941		
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b			
c	Add lines 2a and 2b			2c	941
3	Distributable amount before adjustments. Subtract line 2c from line 1			3	70,145
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	70,145
6	Deduction from distributable amount (see page 25 of the instructions)			6	
7	**Distributable amount** as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1			7	70,145

Part XII Qualifying Distributions (see page 25 of the 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	81,848
b	Program-related investments - total from Part IX-B	1b	
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	81,848
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 (see page 26 of the instructions)	5	
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	81,848

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 page 26 of the instructions)

		(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1	Distributable amount for 2009 from Part XI, line 7				70,145
2	Undistributed income, if any, as of the end of 2009:				
a	Enter amount for 2008 only				
b	Total for prior years 20____,20____,20____				
3	Excess distributions carryover, if any, to 2009:				
a	From 2004 19,634				
b	From 2005 15,644				
c	From 2006 21,641				
d	From 2007 22,181				
e	From 2008 31,906				
f	**Total** of lines 3a through e	111,006			
4	Qualifying distributions for 2009 from Part XII, line 4: ▶ $ 81,848				
a	Applied to 2008, but not more than line 2a				
b	Applied to undistributed income of prior years (Election required - see page 26 of the instructions)				
c	Treated as distributions out of corpus (Election required - see page 26 of the instructions)				
d	Applied to 2009 distributable amount				70,145
e	Remaining amount distributed out of corpus	11,703			
5	Excess distributions carryover applied to 2009 *(If an amount appears in column (d), the same amount must be shown in column (a).)*				
6	**Enter the net total of each column as indicated below:**				
a	Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	122,709			
b	Prior years' undistributed income. Subtract line 4b from line 2b				
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				
d	Subtract line 6c from line 6b. Taxable amount - see page 27 of the instructions				
e	Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see page 27 of the instructions				
f	Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				
7	Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)				
8	Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions)	19,634			
9	**Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	103,075			
10	Analysis of line 9				
a	Excess from 2005 ... 15,644				
b	Excess from 2006 ... 21,641				
c	Excess from 2007 ... 22,181				
d	Excess from 2008 ... 31,906				
e	Excess from 2009 ... 11,703				

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling . . . . ▶ N/A

b Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year	Prior 3 years			
	(a) 2009	**(b)** 2008	**(c)** 2007	**(d)** 2006	**(e) Total**
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test - enter					
(1) Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test- enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					
c "Support" alternative test - enter					
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942 (j)(3)(B)(iii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income					

Part XV Supplementary Information (Complete this part only if the foundation had $5,000 or more in assets at any time during the year - see page 28 of the instructions.)

1 Information Regarding Foundation Managers:

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than $5,000). (See section 507(d)(2).)

NONE

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest.

NONE

2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

Check here ▶ ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see page 28 of the instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

a The name, address, and telephone number of the person to whom applications should be addressed:

N/A

b The form in which applications should be submitted and information and materials they should include:

N/A

c Any submission deadlines:

N/A

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors.

N/A

Part XV Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient Name and address (home or business)	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
a Paid during the year				
Midway Kansas Chapter of the American Red Cross Project Deserve 707 N. Main Wichita, KS 67203	N/A		Public Energy assistance for helping the elderly, handicapped, and indigent with payment of utility bills and home weatherization	77,750
Total . . . . ▶ **3a**				77,750
b Approved for future payment				
Total . . . . ▶ **3b**				

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions.)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1 Program service revenue:					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					
4 Dividends and interest from securities			14	47,133	
5 Net rental income or (loss) from real estate:					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory			18	-136,137	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue: a					
b Non Dividend Distribution			14	131	
c					
d					
e					
12 Subtotal. Add columns (b), (d), and (e)				-88,873	

13 Total. Add line 12, columns (b), (d), and (e) . . . 13 -88,873

(See worksheet in line 13 instructions on page 28 to verify calculations.)

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes). (See page 29 of the instructions.)
	N/A

Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

1 Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?

		Yes	No
a Transfers from the reporting foundation to a noncharitable exempt organization of:			
(1) Cash	1a(1)		X
(2) Other assets	1a(2)		X
b Other transactions:			
(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
(3) Rental of facilities, equipment, or other assets	1b(3)		X
(4) Reimbursement arrangements	1b(4)		X
(5) Loans or loan guarantees	1b(5)		X
(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

d If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☐ No

b If "Yes," complete the following schedule.

(a) Name of organization	(b) Type of organization	(c) Description of relationship
N/A	N/A	N/A

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge

▶ [signature] 5/11/10 ▶ TRUSTEE

Signature of officer or trustee | Date | Title

Paid Preparer's Use Only

Preparer's signature ▶	Date	Check if self-employed ▶ ☐	Preparer's identifying number (See Signature on page 30 of the instructions)
Firm's name (or yours if self-employed), address, and ZIP code ▶		EIN ▶	
		Phone no.	

JSA
9E1493 1 000

KG&E Project Deserve Trust Fund
Return of Private Foundation - Calendar Year 2009
Employer Identification Number: 48-6268846

Other Income, Part 1, Line 11

Non Dividend Distribution-Vanguard Signal Shares REIT index Fund	131
	131

Taxes, Part 1, Line 18

Excise Tax on Investment Income	0
Foreign taxes Withheld	109
Total Taxes	**109**

Other Expenses, Part 1, Line 23

Account Management Fees	**4,098**

KGE Project Deserve Trust Fund
Return of Private Foundation - Calendar Year 2009
Employer Identification Number: 48-6268846

Part II, Investments Held, Line 10

	Beg Of Year Book Value	End Of Year Book Value	End Of Year Market Value
Line 10b - Investments - Corporate Stock			
Alliancebernstein International	43,200	48,737	37,966
Alliancebemstein trust value fund	40,000	0	0
Alliance NFj Large Cap Value Fund-I	118,300	0	0
Allinace Nfj Dividend Value Fund	0	112,496	133,637
Artisan Mid Cap Value Fund	0	32,359	47,495
Blackrock Mid Cap Value Equity Portfolio	67,050	57,187	49,977
Blackrock Small Cap Growth Equity	0	16,297	23,414
Commerce Growth - Principal # 337	144,804	94,144	110,228
Commerce Midcap - Principal # 339	33,759	33,759	39,406
Commerce Value - Principal # 346	149,310	108,324	91,952
iShares Dow Jones US Basic Materials	0	23,483	27,259
Janus Adviser Forty Fund	93,000	89,891	77,733
JP Morgan International Value Fund	0	22,842	32,335
Legg Mason Partners Small Cap Growth	55,700	23,952	22,524
Morgan Stanley Institutional Mid Cap	31,000	38,321	37,802
Morgan Stanley Institutional US Small Cap	46,900	32,854	37,009
Vanguard Morgan Growth Fund-Ad	109,300	72,553	64,304
Vanguard Signal Shares REIT Index Fund Sig #1355	13,600	17,103	14,129
Total	945,924	824,302	847,168

	Beg Of Year Book Value	End Of Year Book Value	End Of Year Market Value
Line 10c - Investments - Corporate Bonds			
Commerce Bond Fund #333	599,755	473,939	501,887
Commerce Short Term Govt Fund #336	35,382	0	0
iShares Lehman United States Inflation Protected	73,143	73,983	77,406
Vanguard Intermediate Term Investment Grade	0	114,863	127,192
Total	708,280	662,785	706,484

KGE Project Deserve Trust Fund
Return of Private Foundation - Calendar Year 2009
Employer Identification Number: 48-6268846

Part IV, Capital Gains and Losses for Tax on Investment Income

	(a) Property Sold		(b) How Acquired	(c) Date Acquired	(d) Date Sold	(e) Gross sales pnce minus expense of sale	(f) Depreciation allowed or allowable	(g) Cost or other basis	(h) Gain or (loss)
1a	See Schedule 3 Page 2	net short-term capital gain or (loss)	P	Vanous	2009	219,754		313,316	(93,562)
1a	See Schedule 3 Page 3	net long-term capital gain or (loss)	P	Various	2009	268,755		311,541	(42,786)
1a	Totals Part IV, Line 1a					488,509	0	624,857	**(136,348)**
1b	L/T Capital Gain Distribution-Vangaurd Intermediate Term Corp Fund		P	Vanous	2009	211			211
	Totals Part IV, Line 1b					211	0	0	211
2	Totals Part IV, Line 2					488,720	0	624,857	**(136,137)**

Net short-term capital gain or (loss)	(93,562)
Net long-term capital gain or (loss)	(42,575)
Net long-term capital gain or (loss)	**(136,137)**

Schedule 3 page 2

The Commerce Trust Company
A division of Commerce Bank, N.A.

KGE PROJECT DESERVE TR FD MGT AG

Income for 2009

This section reports your proceeds from sales during the year. We are not required nor do we report your net gains and losses to the Internal Revenue Service. An asterisk symbol (*) next to the tax cost indicates that the tax cost has been adjusted for the current year's return of capital. A schedule of your net gains and losses is shown below. Please note that if you have sold an asset for which we do not have cost basis information, it is either shown separately in the section entitled Cost Not Available or it may appear with a zero tax cost. Please review these carefully before preparing your tax return.

Short term gains and losses

This category includes sales of all assets held 12 months or less.

Description	Cusip	Units	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
ISHARES IBOXX INVESTMENT GRADE CORP	464287242	150	07/25/08	01/22/09	$14,812.71	$14,998.50	$-185 79
ISHARES IBOXX INVESTMENT GRADE CORP	464287242	550	05/16/08	01/22/09	$54,313.26	$58,144.37	$-3,831.11
ALLIANCEBERNSTEIN TRUST ALLIANCEBERI	018913400	1815 71	05/08/08	01/29/09	$16,958.69	$40,000 00	$-23,041 31
VANGUARD MORGAN GROWTH FUND-AD	921928206	654.89	02/06/08	01/29/09	$22,312.20	$34,964 73	$-12,652 53
LEGG MASON CLEARBRIDGE SMALL CAP GI	52470H765	1178.99	05/08/08	01/29/09	$11,353.63	$19,300.00	$-7,946 37
ALLIANZ NFJ LARGE CAP VALUE FUND-I	018918433	6710.15	02/06/08	01/29/09	$69,114.58	$118,300.00	$-49,185.42
LEGG MASON CLEARBRIDGE SMALL CAP GI	52470H765	175.36	02/06/08	01/29/09	$1,688.67	$2,618.05	$-929.38
JPMORGAN INTERNATIONAL VALUE FUND -I	4812A0573	458.17	01/29/09	08/04/09	$5,520.97	$4,123.55	$1,397.42
ALLIANZ NFJ DIVIDEND VALUE FUND - INS	018918227	1775.86	01/29/09	08/04/09	$16,764.13	$15,592.06	$1,172.07
BLACKROCK SMALL CAP GROWTH EQUITY I	091928101	388.46	01/29/09	08/04/09	$6,914.62	$5,275.31	$1,639 31
Total short term gain/loss:					$219,753.46	$313,316 57	$-93,563.11

Long term gains and losses

This category includes sales of assets held more than 12 months.

Description	Cusip	Units	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
COMMERCE SHORT TERM GOVERNMENT FL	200626109	63.28	06/21/05	01/29/09	$1,132.10	$1,130.19	$1 91
COMMERCE GROWTH FUND INSTITUTIONAL	200626406	597.21	07/03/07	01/29/09	$10,146.53	$16,536.63	$-6,390.10

Schedule 3 page 3

The Commerce Trust Company
A division of Commerce Bank, N.A.

2009 Form 1099

Account Number 680068012

KGE PROJECT DESERVE TR FD MGT AG

Long term gains and losses

This category includes sales of assets held more than 12 months.

Description	Cusip	Units	Acquisition Date	Sale date	Gross proceeds less commissions	Tax cost	Net gain or loss
COMMERCE BOND FUND FUND #333	200626208	7241.15	04/29/04	01/29/09	$131,354 45	$133,816.43	$-2,461.98
COMMERCE SHORT TERM GOVERNMENT FL	200626109	45.69	12/21/05	01/29/09	$817.34	$801 80	$15 54
COMMERCE SHORT TERM GOVERNMENT FL	200626109	1767.7	12/01/05	01/29/09	$31,624.10	$31,023 08	$601.02
COMMERCE SHORT TERM GOVERNMENT FL	200626109	0.77	01/06/06	01/29/09	$13.72	$13 49	$0.23
COMMERCE SHORT TERM GOVERNMENT FL	200626109	7 8	01/05/06	01/29/09	$139 58	$137 31	$2.27
COMMERCE SHORT TERM GOVERNMENT FL	200626109	41.65	02/15/05	01/29/09	$745.06	$747.15	$-2 09
COMMERCE GROWTH FUND INSTITUTIONAL	200626406	1608.82	04/29/04	01/29/09	$27,333.89	$34,123 14	$-6,789.25
COMMERCE SHORT TERM GOVERNMENT FL	200626109	50.68	03/21/05	01/29/09	$906.58	$901 01	$5.57
COMMERCE SHORT TERM GOVERNMENT FL	200626109	35.36	09/21/05	01/29/09	$632 59	$628.00	$4 59
VANGUARD MORGAN GROWTH FUND-AD	921928206	33.39	02/06/08	08/04/09	$1,409.36	$1,782.64	$-373.28
MORGAN STANLEY INSTITUTIONAL US SMAL	617440409	157.88	02/06/08	08/04/09	$3,010.77	$3,411 79	$-401 02
MORGAN STANLEY INSTITUTIONAL US SMAL	617440409	993	05/08/08	08/04/09	$18,936.50	$22,700 00	$-3,763 50
LEGG MASON CLEARBRIDGE SMALL CAP GF	52470H765	658.42	02/06/08	08/04/09	$8,171.01	$9,830.22	$-1,659.21
JANUS FORTY FUND-I	47103A658	83.93	02/06/08	08/04/09	$2,496.09	$3,108.77	$-612.68
COMMERCE VALUE FUND INSTITUTIONAL FL	200626828	1379.07	07/03/07	08/04/09	$22,285.77	$40,985 99	$-18,700.22
BLACKROCK MID CAP VALUE EQUITY PORTF	091928812	870.55	02/06/08	08/04/09	$7,599 88	$9,863.31	$-2,263.43
Total long term gain/loss for sales of assets:					$268,755.32	$311,540.95	$-42,785.63

KG&E Project Deserve Trust Fund
Return of Private Foundation - Calendar Year 2009
Employer Identification Number: 48-6268846

Information about Officers, Directors, Trustees, Foundation Managers, High Paid Employees, and Contractors

1) List of officers, directors, trustees, and foundation managers:

Name & Address	Title & Avg. Hrs Devoted Per Week	Contributions to Employee Benefit Plan	Expense Account	Compensation
Ginger Butler BOA-8 100 N Broadway, Ste 80 Wichita, KS 67202	Trustee - .5 hrs.	$0	$0	$0
Laure Kendall 1900 E. Douglas Wichita, KS 67214	Trustee - .5 hrs.	$0	$0	$0
Ronald D. Myers 5926 E. 10th St. N Wichita, KS 67208 316-682-6370	Trustee - .5 hrs.	$0	$0	$0
Robert (Bob) Crawford 8830 Shannon Way Ct. Wichita, KS 67206 316-644-2020	Trustee - .5hrs.	$0	$0	$0
Lynette Greene P.O. Box 33 El Dorado KS 67042 316-321-2308	Trustee - .5hrs.	$0	$0	$0

FORM 990-PF
RETURN OF PRIVATE FOUNDATIOIN
TAX RETURN
2009

KGE PROJECT DESERVE TRUST FUND
818 SOUTH KANSAS AVE
TOPEKA, KANSAS
66612

EIN: 48-6268846