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Form **990-PF**

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

OMB No 1545-0052

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 change

Use the IRS label. Otherwise, print or type. See Specific Instructions	Name of foundation MALLEY, E M T/U/A CHARITABLE D		A Employer identification number 74-2770301
	Number and street (or P O box number if mail is not delivered to street address)	Room/suite	B Telephone number (see page 10 of the instructions) (800)352-3705
	City or town, state, and ZIP code Phoenix AZ 85072		C If exemption application is pending, check here <input type="checkbox"/>
H Check type of organization <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation			D 1 Foreign organizations, check here <input type="checkbox"/>
I Fair market value of all assets at end of year (from Part II, col (c), line 16) ▶ \$ 1,289,557			D 2 Foreign organizations meeting the 85% test, check here and attach computation <input type="checkbox"/>
J Accounting method <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____ (Part I, column (d) must be on cash basis)			E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>
			F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>

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 <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	0	0		
	4 Dividends and interest from securities	46,912	46,472		
	5 a Gross rents			0	
	b Net rental income or (loss)	0			
	6 a Net gain or (loss) from sale of assets not on line 10	-137,487			
	b Gross sales price for all assets on line 6a	98,421			
	7 Capital gain net income (from Part IV, line 2)			0	
	8 Net short-term capital gain			0	
	9 Income modifications				
	10 a Gross sales less returns and allowances	0			
b Less Cost of goods sold	0				
c Gross profit or (loss) (attach schedule)	0				
11 Other income (attach schedule)	12,041	12,041	0		
12 Total. Add lines 1 through 11	-78,534	58,513	0		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc	0			
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16 a Legal fees (attach schedule)	0	0	0	0
	b Accounting fees (attach schedule)	1,012	0	0	1,012
	c Other professional fees (attach schedule)	0	0	0	0
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	3,374	2,754	0	0
	19 Depreciation (attach schedule) and depletion	0	0	0	
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule)	14,565	11,857	0	2,708
	24 Total operating and administrative expenses. Add lines 13 through 23	18,951	14,611	0	3,720
	25 Contributions, gifts, grants paid	38,436			38,436
26 Total expenses and disbursements. Add lines 24 and 25	57,387	14,611	0	42,156	
27 Subtract line 26 from line 12					
a Excess of revenue over expenses and disbursements	-135,921				
b Net investment income (if negative, enter -0-)		43,902			
c Adjusted net income (if negative, enter -0-)			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	1,231	2,805	2,805
	2 Savings and temporary cash investments	48,779	34,339	34,339
	3 Accounts receivable <input type="checkbox"/> ----- 0			
	Less allowance for doubtful accounts <input type="checkbox"/> ----- 0	0	0	0
	4 Pledges receivable <input type="checkbox"/> ----- 0			
	Less allowance for doubtful accounts <input type="checkbox"/> ----- 0	0	0	0
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)	0	0	0
	7 Other notes and loans receivable (attach schedule) <input type="checkbox"/> ----- 0			
	Less allowance for doubtful accounts <input type="checkbox"/> ----- 0	0	0	0
	8 Inventories for sale or use		0	
	9 Prepaid expenses and deferred charges		0	
	10 a Investments—U S and state government obligations (attach schedule)	0	0	0
	b Investments—corporate stock (attach schedule)	402,324	364,592	339,219
	c Investments—corporate bonds (attach schedule)	680,462	616,145	673,522
	11 Investments—land, buildings, and equipment basis <input type="checkbox"/> ----- 0			
Less accumulated depreciation (attach schedule) <input type="checkbox"/> ----- 0	0	0	0	
12 Investments—mortgage loans				
13 Investments—other (attach schedule)	201,092	183,255	239,672	
14 Land, buildings, and equipment basis <input type="checkbox"/> ----- 0				
Less accumulated depreciation (attach schedule) <input type="checkbox"/> ----- 0	0	0	0	
15 Other assets (describe <input type="checkbox"/> -----)	0	0	0	
16 Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	1,333,888	1,201,136	1,289,557	
Liabilities	17 Accounts payable and accrued expenses		0	
	18 Grants payable			
	19 Deferred revenue		0	
	20 Loans from officers, directors, trustees, and other disqualified persons	0	0	
	21 Mortgages and other notes payable (attach schedule)	0	0	
	22 Other liabilities (describe <input type="checkbox"/> -----)	0	0	
	23 Total liabilities (add lines 17 through 22)	0	0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31. <input type="checkbox"/>			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. <input checked="" type="checkbox"/>			
	27 Capital stock, trust principal, or current funds	1,333,888	1,201,136	
	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)	1,333,888	1,201,136		
31 Total liabilities and net assets/fund balances (see page 17 of the instructions)	1,333,888	1,201,136		

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	1,333,888
2 Enter amount from Part I, line 27a	2	-135,921
3 Other increases not included in line 2 (itemize) <input type="checkbox"/> See Attached Statement	3	7,723
4 Add lines 1, 2, and 3	4	1,205,690
5 Decreases not included in line 2 (itemize) <input type="checkbox"/> See Attached Statement	5	4,554
6 Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6	1,201,136

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 Statement				
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	0	0	0	
b	0	0	0	
c	0	0	0	
d	0	0	0	
e	0	0	0	
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
(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		
a	0	0		0
b	0	0		0
c	0	0		0
d	0	0		0
e	0	0		0
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 -137,487
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 0

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	112,354	1,251,557	0.089771
2007	83,192	1,458,796	0.057028
2006	67,016	1,368,557	0.048968
2005	60,683	1,354,854	0.044789
2004	33,609	1,320,152	0.025458
2 Total of line 1, column (d)			2 0.266014
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 0.053203
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5			4 1,096,401
5 Multiply line 4 by line 3			5 58,332
6 Enter 1% of net investment income (1% of Part I, line 27b)			6 439
7 Add lines 5 and 6			7 58,771
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 on page 18			8 42,156

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

1	a 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		
	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	878
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	878
6	Credits/Payments		
	a 2009 estimated tax payments and 2008 overpayment credited to 2009	6a	749
	b Exempt foreign organizations—tax withheld at source	6b	
	c Tax paid with application for extension of time to file (Form 8868)	6c	0
	d Backup withholding erroneously withheld	6d	
7	Total credits and payments Add lines 6a through 6d	7	749
8	Enter any penalty for underpayment of estimated tax Check here <input type="checkbox"/> if Form 2220 is attached	8	0
9	Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9	129
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	0
11	Enter the amount of line 10 to be Credited to 2010 estimated tax <input type="checkbox"/> 0 Refunded <input type="checkbox"/>	11	0

Part VII-A Statements Regarding Activities

	Yes	No
1 a 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 page 19 of the instructions for definition)? <i>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</i>		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"/> \$ _____ (2) On foundation managers <input type="checkbox"/> \$ _____		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <input type="checkbox"/> \$ _____		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If "Yes," attach a detailed description of the activities</i>		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? <i>If "Yes," attach a conformed copy of the changes</i>		X
4 a 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?	N/A	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If "Yes," attach the statement required by General Instruction T</i>		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? <i>If "Yes," complete Part II, col (c), and Part XV</i>	X	
8 a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) <input type="checkbox"/> CO		
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 <i>General Instruction G</i> ? <i>If "No," attach explanation</i>	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)? <i>If "Yes," complete Part XIV</i>		X
10 Did any persons become substantial contributors during the tax year? <i>If "Yes," attach a schedule listing their names and addresses</i>		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 page 20 of the instructions)			X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?			X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	X		
Website address <input type="checkbox"/> N/A				
14	The books are in care of <input type="checkbox"/> Wells Fargo Bank N A Telephone no <input type="checkbox"/> (800)352-3705			
Located at <input type="checkbox"/> PO Box 53456, MAC S4101-22G Phoenix AZ ZIP+4 <input type="checkbox"/> 85072				
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 <input type="checkbox"/>		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? <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 <input type="checkbox"/>	1b	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," list the years <input type="checkbox"/> 20____, <input type="checkbox"/> 20____, <input type="checkbox"/> 20____, <input type="checkbox"/> 20____		
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)	2b	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 <input type="checkbox"/> 20____, <input type="checkbox"/> 20____, <input type="checkbox"/> 20____, <input type="checkbox"/> 20____		
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)	3b	N/A
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)? Organizations relying on a current notice regarding disaster assistance check here **5b** N/A

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** 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? **7b** X

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
Wells Fargo Bank N A PO Box 53456, MAC S4101-22G Phoenix 8507	TRUSTEE 4 00	10,832	0	0
	00	0	0	0
	00	0	0	0
	00	0	0	0

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		0
.....		0
.....		0
.....		0
.....		0
.....		0
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 NONE	
.....	
2	
.....	
3	
.....	
4	
.....	

Part IX-B Summary of Program-Related Investments (see page 24 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 NONE	
.....	
2	
.....	
All other program-related investments See page 24 of the instructions	
3 NONE	
.....	
Total. Add lines 1 through 3	0

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	1,057,731
b	Average of monthly cash balances	1b	55,366
c	Fair market value of all other assets (see page 24 of the instructions)	1c	
d	Total (add lines 1a, b, and c)	1d	1,113,097
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	1,113,097
4	Cash deemed held for charitable activities. Enter 1½% of line 3 (for greater amount, see page 25 of the instructions)	4	16,696
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	1,096,401
6	Minimum investment return. Enter 5% of line 5	6	54,820

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	54,820
2a	Tax on investment income for 2009 from Part VI, line 5	2a	878
b	Income tax for 2009 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	878
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	53,942
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	53,942
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	53,942

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	42,156
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	0
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	42,156
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	0
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	42,156

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				53,942
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			1,189	
b Total for prior years 20____, 20____, 20____		0		
3 Excess distributions carryover, if any, to 2009				
a From 2004	NONE			
b From 2005	NONE			
c From 2006	NONE			
d From 2007	NONE			
e From 2008	NONE			
f Total of lines 3a through e	0			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ <u>42,156</u>				
a Applied to 2008, but not more than line 2a			1,189	
b Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c Treated as distributions out of corpus (Election required—see page 26 of the instructions)	0			
d Applied to 2009 distributable amount				40,967
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))	0			0
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0			
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				
d Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions		0		
e Undistributed income for 2008 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions			0	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				12,975
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)	0			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	0			
10 Analysis of line 9				
a Excess from 2005	0			
b Excess from 2006	0			
c Excess from 2007	0			
d Excess from 2008	0			
e Excess from 2009	0			

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

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 ▶

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				(e) Total
	(a) 2009	(b) 2008	(c) 2007	(d) 2006	
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	0				0
b 85% of line 2a	0	0	0	0	0
c Qualifying distributions from Part XII, line 4 for each year listed	0				0
d Amounts included in line 2c not used directly for active conduct of exempt activities					0
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c	0	0	0	0	0
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test—enter					
(1) Value of all assets					0
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					0
b "Endowment" alternative test—enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed	0				0
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)					0
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					0
(3) Largest amount of support from an exempt organization					0
(4) Gross investment income					0

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

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

c Any submission deadlines

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

Line 11 (990-PF) - Other Income

		12,041	12,041	0
Description		Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income
1	O&G ROYALTIES	12,041	12,041	
2			0	
3			0	
4			0	
5			0	
6			0	
7			0	
8			0	
9			0	
10			0	

Line 16b (990-PF) - Accounting Fees

		1,012	0	0	1,012
	Name of Organization or Person Providing Service	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes (Cash Basis Only)
1	TAX PREP FEES	1,012			1,012
2					
3					
4					
5					
6					
7					
8					
9					
10					

Line 18 (990-PF) - Taxes

		3,374	2,754	0	0
	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
1	FOREIGN TAXES W/H	321	321		
2	O&G PROD TAXES	1,739	1,739		
3	O&G STATE TAX W/H	694	694		
4	ESTIMATE EXCISE TAX	620			
5					
6					
7					
8					
9					
10					

Line 23 (990-PF) - Other Expenses

	Description	Revenue and Expenses per Books	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
		14,565	11,857	0	2,708
1	Amortization See attached statement	0	0	0	0
2	O&G EXPENSE	3,552	3,552		
3	WELLS FARGO TRUSTEE FEE	10,832	8,124		
4	PARTNERSHIP EXP-POWERSHARES	120	120		2,708
5	PARTNERSHIP EXP - TEI 100	61	61		
6					
7					
8					
9					
10					

Part II, Line 10b (990-PF) - Investments - Corporate Stock

		402,324	364,592	0	339,219
		Book Value	Book Value	FMV	FMV
		Req. of Year	End of Year	Req. of Year	End of Year
1	SEE ATTACHED STMT	402,324	364,592		339,219
2					
3					
4					
5					
6					
7					
8					
9					
10					

Part II, Line 10c (990-PF) - Investments - Corporate Bonds

	Description	Interest Rate	Maturity Date	Book Value Beg. of Year	Book Value End of Year	FMV Beg. of Year	FMV End of Year
1	SEE ATTACHED STMT			680,462	616,145	0	673,522
2							
3							
4							
5							
6							
7							
8							
9							
10							

Part II, Line 13 (990-PF) - Investments - Other

		201,092	183,255	239,672
	Item or Category	Book Value Beg. of Year	Book Value End of Year	FMV End of Year
1	SEE ATTACHED STMT	201,092	183,255	239,672
2				
3				
4				
5				
6				
7				
8				
9				
10				

Part III (990-PF) - Changes in Net Assets or Fund Balances

Line 3 - Other increases not included in Part III, Line 2

1	CTF INCOME TIMING DIFF	1	356
2	MUTUAL FUND TIMING DIFF	2	137
3	UNDISTRIBUTED CTF CAPITAL GAIN	3	7,230
4	Total	4	7,723

Line 5 - Decreases not included in Part III, Line 2

1	COST BASIS ADJ	1	216
2	PARTNERSHIP INCOME ADJ	2	3,898
3	PY RETURN OF CAPITAL	3	440
4	Total	4	4,554

Part IV (990-PF) - Capital Gains and Losses for Tax on Investment Income

	Kind(s) of Property Sold	CUSIP #	How Acquired	Date Acquired	Date Sold	Totals	Gross Sales Price	94,363	Depreciation Allowed	Cost or Other Basis Plus Expense of Sale	187,881	Gain or Loss	-93,518	F M V as of 12/31/69	Adjusted Basis as of 12/31/69	Excess of FMV Over Adj Basis	0	Gains Minus Excess of FMV Over Adjusted Basis or Losses	-93,518
1	TAXABLE TOTAL RETURN BOND FUND	991283912		12/31/1985	6/22/2009		5,022	0	0	5,566	0	-544	0			0		-544	
2	TAXABLE TOTAL RETURN BOND FUND	991283912		1/31/1992	6/22/2009		14,978	0	0	16,474	0	-1,496	0			0		-1,496	
3	LARGE CAP GROWTH FUND	BF1000B02		7/31/1988	1/7/2009		15,300	0	0	36,211	0	-20,911	0			0		-20,911	
4	LARGE CAP GROWTH FUND	BF1000B02		12/31/1980	1/7/2009		11,486	0	0	27,257	0	-15,771	0			0		-15,771	
5	LARGE CAP GROWTH FUND	BF1000B02		12/31/1988	1/7/2009		27,322	0	0	64,587	0	-37,265	0			0		-37,265	
6	IPATH DOW JONES-AIG COMMDTY	06738C778		3/28/2008	4/17/2009		13,701	0	0	25,078	0	-11,377	0			0		-11,377	
7	IPATH DOW JONES-AIG COMMDTY	06738C778		5/15/2008	4/17/2009		6,337	0	0	12,284	0	-5,947	0			0		-5,947	
8	LARGE CAP GROWTH FUND	BF1000B02		2/6/1998	1/7/2009		217	0	0	424	0	-207	0			0		-207	
9							0	0	0	0	0	0	0			0		0	
10							0	0	0	0	0	0	0			0		0	
11							0	0	0	0	0	0	0			0		0	
12							0	0	0	0	0	0	0			0		0	
13							0	0	0	0	0	0	0			0		0	
14							0	0	0	0	0	0	0			0		0	
15							0	0	0	0	0	0	0			0		0	
16							0	0	0	0	0	0	0			0		0	
17							0	0	0	0	0	0	0			0		0	

Part VIII, Line 1 (990-PF) - Compensation of Officers, Directors, Trustees and Foundation Managers

	Name	Check "X" if Business	Street	City	State	Zip Code	Foreign Country	Title	Average Hours	Compensation
1	Wells Fargo Bank N A		PO Box 53456, MAC S4101-22G	Phoenix	4	85072		TRUSTEE	4	10,832
2										
3										
4										
5										
6										
7										
8										
9										
10										

10,832

Part XVI-A, Lines 11a-11e (990-PF) - Other Revenue

		Unrelated Business Income		Excluded by Section 512, 513, or 514		
Program Service Revenue		Business Code	Amount	Exclusion Code	Amount	Related or Exempt Function Income
1	O&G ROYALTIES			15	12,041	
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

Part VI, Line 6a (990-PF) - Estimated Tax Payments

	<u>Date</u>	<u>1</u>	<u>Amount</u>
1 Credit from prior year return		1	129
2 First quarter estimated tax payment	5/14/2009	2	531
3 Second quarter estimated tax payment	9/11/2009	3	89
4 Third quarter estimated tax payment		4	0
5 Fourth quarter estimated tax payment		5	0
6 Other payments		6	0
7 Total		7	749

Part XIII, Line 2a, Column C (990-PF) - Prior Year Undistributed Income

1	Distributable amounts for 2008 that remained undistributed at the beginning of the 2009 tax year	1	1,189
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9		9	
10	Total	10	1,189

Continuation of Part XV, Line 3a (990-PF) - Grants and Contributions Paid During the Year

Recipient(s) paid during the year

Name CAPPER FOUNDATION				<input type="checkbox"/> Person	<input checked="" type="checkbox"/> Business
Street 3500 SW 10TH AVE					
City TOPEKA		State KS	Zip code 66604-1904	Foreign Country	
Relationship NONE		Foundation Status EXEMPT			
Purpose of grant/contribution SUPPORT OF CAPPER FOUNDATION					Amount 6,406

Name CHILDRENS HOSPITAL ASSN, ATTN LESLIE SCHAEFFER, DIRECTOR				<input type="checkbox"/> Person	<input checked="" type="checkbox"/> Business
Street 13123 E 16TH AVE B045					
City AUORORA		State CO	Zip code 80045	Foreign Country	
Relationship NONE		Foundation Status EXEMPT			
Purpose of grant/contribution SUPPORT OF CHILDRENS HOSPITAL ASSN					Amount 6,406

Name AMERICAN CANCER SOCIETY INC, ATTN NAT OFFICE OF PROBATE & TRI				<input type="checkbox"/> Person	<input checked="" type="checkbox"/> Business
Street P O BOX 720366					
City OKLAHOMA CITY		State OK	Zip code 73162	Foreign Country	
Relationship NONE		Foundation Status EXEMPT			
Purpose of grant/contribution SUPPORT OF AMERICAN CANCER SOCIETY INC					Amount 6,406

Name AMERICAN HEARTH ASSN INC, ATTN SARAH WILLIAMSON, BEQUEST ADM				<input type="checkbox"/> Person	<input checked="" type="checkbox"/> Business
Street P O BOX 22035					
City ST PETERSBURG		State FL	Zip code 33742-2035	Foreign Country	
Relationship NONE		Foundation Status EXEMPT			
Purpose of grant/contribution SUPPORT OF AMERICAN HEARTH ASSN INC					Amount 6,406

Name COLORADO BOYS RANCH FDN, ATTN DANELDA FRANKS				<input type="checkbox"/> Person	<input checked="" type="checkbox"/> Business
Street P O BOX 681					
City LA JUNTA		State CO	Zip code 81050-0681	Foreign Country	
Relationship NONE		Foundation Status EMEMPT			
Purpose of grant/contribution SUPPORT OF COLORADO BOYS RANCH FDN					Amount 6,406

Name HEALTHTONE FOUNDATION, ATTN ANDREW RITZ, COMPTOLLER				<input type="checkbox"/> Person	<input checked="" type="checkbox"/> Business
Street 501 SOUTH CHERRY ST STE 1100					
City DENVER		State CO	Zip code 80246-1325	Foreign Country	
Relationship NONE		Foundation Status EXEMPT			
Purpose of grant/contribution SUPPORT OF HEALTHTONE FOUNDATION					Amount 6,406

Account Statement For
MALLEY, E M T/U/A CHARITABLE D

Period Covered December 1, 2009 - December 31, 2009

Account Number 0101591900



ASSET DETAIL

ASSET DESCRIPTION	QUANTITY	PRICE	MARKET VALUE AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	CURRENT YIELD
Cash & Equivalents							
CASH							
INCOME			\$2,804.77	\$2,804.77	\$0.00	\$0.00	
Total Cash			\$2,804.77	\$2,804.77	\$0.00	\$0.00	
MONEY MARKET							
WELLS FARGO ADVANTAGE CASH INVESTMENT MONEY MARKET SERVICE #250	116,560		\$116,560	\$116,560	\$0.00	\$0.01	0.01%
<i>Asset held in Investor Portfolio</i>							
WELLS FARGO ADVANTAGE CASH INVESTMENT MONEY MARKET SERVICE #250	34,222,450		34,222,450	34,222,450	0.00	3.42	0.01
Total Money Market			\$34,339.01	\$34,339.01	\$0.00	\$3.43	0.01%
Total Cash & Equivalents			\$37,143.78	\$37,143.78	\$0.00	\$3.43	0.01%

ASSET DESCRIPTION	QUANTITY	PRICE	MARKET VALUE AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	CURRENT YIELD
Fixed Income							
COMMON TRUST FUNDS							
TAXABLE TOTAL RETURN BOND FUND DIF	93,674,872	\$7.190	\$673,522.33	\$616,144.89	\$57,377.44	\$33,215.42	4.93%
CUSIP 991283912							
Total Common Trust Funds			\$673,522.33	\$616,144.89	\$57,377.44	\$33,215.42	4.93%
Total Fixed Income			\$673,522.33	\$616,144.89	\$57,377.44	\$33,215.42	



ASSET DETAIL (continued)

ASSET DESCRIPTION	QUANTITY	PRICE	MARKET VALUE AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	CURRENT YIELD
Equities							
MUTUAL FUNDS							
ISHARE S MSCLEAFE SYMBOL EFA CUSIP 464287465	2,090,000	\$55.280	\$115,535.20	\$145,706.12	-\$30,170.92	\$3,011.69	2.61%
ISHARES S & P 500 INDEX FUND SYMBOL IVV CUSIP 464287200	1,000,000	111.810	111,810.00	89,268.28	22,541.72	2,392.00	2.14
ISHARES TR SMALL CAP 600 INDEX FD SYMBOL IJR CUSIP 464287804	400,000	54.720	21,888.00	27,545.60	-5,657.60	271.20	1.24
MIDCAP SPDR SYMBOL MDY CUSIP 595635103	255,000	131.740	33,593.70	34,840.65	-1,246.95	498.02	1.48
SPDR TRUST SERIES 1 FD SYMBOL SPY CUSIP 78462F103	300,000	111.440	33,432.00	38,030.00	-4,598.00	708.30	2.12
VANGUARD EMERGING MARKET'S ETF SYMBOL VWO CUSIP 922042858	560,000	41.000	22,960.00	29,201.82	6,241.82	305.20	1.33
Total Mutual Funds			\$339,218.90	\$364,592.47	-\$25,373.57	\$7,186.41	2.12%
Total Equities			\$339,218.90	\$364,592.47	-\$25,373.57	\$7,186.41	2.12%

ASSET DESCRIPTION	QUANTITY	PRICE	MARKET VALUE AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	CURRENT YIELD
Alternative Investments							
HEDGE INVESTMENTS							
WELLS FARGO MULTI-STRATEGY 100 HEDGE FUND I, LLC (TAX EXEMPT INVESTORS)	36.484	\$1,273.934	\$46,478.32	\$50,000.00	-\$3,521.68	\$0.00	0.00%
Total Hedge Investments			\$46,478.32	\$50,000.00	-\$3,521.68	\$0.00	0.00%

Account Statement For
MALLEY, E M T/U/A CHARITABLE D

Period Covered December 1, 2009 - December 31, 2009

Account Number 0101591900



ASSET DETAIL *(continued)*

ASSET DESCRIPTION	QUANTITY	PRICE	MARKET VALUE AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	CURRENT YIELD
Alternative Investments <i>(continued)</i>							
OTHER							
HUSSMAN STRATEGIC GROWTH FUND #601 SYMBOL HSGFX CUSIP 448108100	1,462,939	\$12.780	\$18,696.36	\$22,500.00	-\$3,803.64	\$36.57	0.20%
POWERSHARES DB COMMODITY INDEX SYMBOL DBC CUSIP 739355105	1,000,000	24.620	24,620.00	20,277.80	4,342.20	0.00	0.00
Total Other			\$43,316.36	\$42,777.80	\$538.56	\$36.57	0.08%
Total Alternative Investments			\$89,794.68	\$92,777.80	-\$2,983.12	\$36.57	0.04%

ASSET DESCRIPTION	QUANTITY	PRICE	MARKET VALUE AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	CURRENT YIELD
Real Estate & Specialty Assets							
REAL ESTATE FUNDS							
SPDR DJ WILSHIRE INTERNATIONAL REAL ESTATE ETF SYMBOL RWX CUSIP 78463X863	500,000	\$34.890	\$17,445.00	\$30,513.66	-\$13,068.68	\$1,176.50	6.74%
VANGUARD REIT VIPER SYMBOL VNQ CUSIP 922908553	905,000	44.740	40,489.70	59,962.17	-19,472.47	2,114.08	5.22
Total Real Estate Funds			\$57,934.70	\$90,475.85	-\$32,541.15	\$3,290.58	5.68%

Account Statement For
 MALLEY, E M T/U/A CHARITABLE D

Period Covered December 1, 2009 - December 31, 2009

Account Number 0101591900



ASSET DETAIL (continued)

ASSET DESCRIPTION	QUANTITY	PRICE	VALUE CARRIED AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME	CURRENT YIELD
Real Estate & Specialty Assets							
OIL, GAS & MINERALS							
POWDER RIVER CO, MT 1/10 MI T 8 S, R 54 E, SEC 26 NW4, N/2 SW4, W/2 NE4 ASSET MANAGER CHARLES "TRAVIS" HERINGERPHONE# 303-853-5719 Valued as of 1/30/09	1.000	\$91,942.550	\$91,942.55	\$1.00	\$91,941.55	\$0.00	0.00%
Total Oil, Gas & Minerals			\$91,942.55	\$1.00	\$91,941.55	\$0.00	0.00%
Total Real Estate & Specialty Assets			\$149,877.25	\$90,476.85	\$59,400.40	\$3,290.58	2.20%

ACCOUNT VALUE AS OF 12/31/09	COST BASIS	UNREALIZED GAIN/LOSS	ESTIMATED ANNUAL INCOME
\$1,289,556.94	\$1,201,135.79	\$88,421.15	\$43,732.41

TOTAL ASSETS