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

OMB No 1545-0052

2009Department of the Treasury
Internal Revenue Service

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 9/01, 2009, and ending 8/31, 2010

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
InstructionsMARIANI NUT COMPANY FOUNDATION, INC.
709 DUTTON STREET/P.O. BOX 808
WINTERS, CA 95694

A Employer identification number

68-0143635

B Telephone number (see the instructions)

530 795-3311

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, column (c), line 16)

\$ 1,181,949.

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 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 (att sch)

2 Ck ☒ if the foundn is not req to att Sch B

3 Interest on savings and temporary cash investments

4 Dividends and interest from securities

10,282.

10,282.

10,282.

5a Gross rents

b Net rental income or (loss)

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

27,581.

b Gross sales price for all assets on line 6a 482,116.

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/(loss) (att sch)

11 Other income (attach schedule)

12 Total. Add lines 1 through 11

37,863.

10,282.

10,282.

13 Compensation of officers, directors, trustees, etc

0.

14 Other employee salaries and wages

15 Pension plans, employee benefits

16a Legal fees (attach schedule)

b Accounting fees (attach sch)

c Other prof fees (attach sch) SEE ST 2

10,813.

17 Interest

18 Taxes (attach schedule) (see instr) SEE. STM 3

434.

19 Depreciation (attach sch) and depletion

20 Occupancy

21 Travel, conferences, and meetings

22 Printing and publications

23 Other expenses (attach schedule)

SEE STATEMENT 4

75.

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

11,322.

25 Contributions, gifts, grants paid PART XV

78,208.

26 Total expenses and disbursements. Add lines 24 and 25

89,530.

0.

0.

78,208.

78,208.

27 Subtract line 26 from line 12:

a Excess of revenue over expenses and disbursements

-51,667.

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

10,282.

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

10,282.

G14

V

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	499,508.	420,934.	420,934.
	2	Savings and temporary cash investments	51,705.	33,484.	33,484.
	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 the instructions)			
	7	Other notes and loans receivable (attach sch)			
		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 (attach schedule)		3,120.	3,788.
	b	Investments – corporate stock (attach schedule)	695,546.	737,555.	723,743.
	c	Investments – corporate bonds (attach schedule)			
	LIABILITIES	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 instructions. Also, see page 1, item I)	1,246,759.	1,195,093.	1,181,949.
17		Accounts payable and accrued expenses			
18		Grants payable			
19	Deferred revenue				
20	Loans from officers, directors, trustees, & other disqualified persons				
21	Mortgages and other notes payable (attach schedule)				
22	Other liabilities (describe)				
23	Total liabilities (add lines 17 through 22)	0.	0.		
NET FUND ASSETS OR 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			
		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, building, and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds	1,246,759.	1,195,093.	
	30	Total net assets or fund balances (see the instructions)	1,246,759.	1,195,093.	
	31	Total liabilities and net assets/fund balances (see the instructions)	1,246,759.	1,195,093.	

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	1,246,759.
2	Enter amount from Part I, line 27a	2	-51,667.
3	Other increases not included in line 2 (itemize) SEE STATEMENT 5	3	1.
4	Add lines 1, 2, and 3	4	1,195,093.
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	1,195,093.

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 shares MLC Company)		(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1 a N/A				
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			
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
(i) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	
a			
b			
c			
d			
e			

2 Capital gain net income or (net capital loss)	<div style="border: 1px solid black; padding: 2px;"> If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 </div>		2	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)	<div style="border: 1px solid black; padding: 2px;"> If gain, also enter in Part I, line 8, column (c) (see the instructions) If (loss), enter -0- in Part I, line 8 </div>		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.)

N/A

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 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 (column (b) divided by column (c))
2008			
2007			
2006			
2005			
2004			

2 Total of line 1, column (d)	2	
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	
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	
5 Multiply line 4 by line 3	5	
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	
7 Add lines 5 and 6	7	
8 Enter qualifying distributions from Part XII, line 4	8	

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.

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 – see 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 instr.)			
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	206.
c All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, column (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	206.
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	206.
6 Credits/Payments			
a 2009 estimated tax pmts and 2008 overpayment credited to 2009	6a	139.	
b Exempt foreign organizations – tax withheld at source	6b	434.	
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	573.	
8 Enter any penalty for underpayment of estimated tax. Check here <input 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	0.	
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	367.	
11 Enter the amount of line 10 to be. Credited to 2010 estimated tax <input type="checkbox"/> 0. Refunded <input type="checkbox"/>	11	367.	

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 the instructions for definition)?		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?		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
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? 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?	6	X
7 Did the foundation have at least \$5,000 in assets at any time during the year? If 'Yes,' complete Part II, column (c), and Part XV	7	X
8 a Enter the states to which the foundation reports or with which it is registered (see the instructions) CA		
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)? 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

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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 <u>N/A</u>	13	X	
14	The books are in care of <u>MARTIN MARIANI</u> Telephone no <u>916 795-3311</u> Located at <u>709 DUTTON STREET, WINTERS, CA</u> ZIP + 4 <u>95694</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <u>N/A</u> and enter the amount of tax-exempt interest received or accrued during the year <u>15</u>	<u>N/A</u>		

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
1 a 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 type="checkbox"/> Yes <input checked="" 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 the instructions)? Organizations relying on a current notice regarding disaster assistance check here <input type="checkbox"/>	1 b	N/A
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?	1 c	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 <u>20__</u> , <u>20__</u> , <u>20__</u> , <u>20__</u>		
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 the instructions)	2 b	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 <u>20__</u> , <u>20__</u> , <u>20__</u> , <u>20__</u>		
3 a 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.)	3 b	N/A
4 a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4 a	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?	4 b	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)? (see 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 instructions)?

5b 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?

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 N/A

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 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
MARTIN MARIANI ROUTE 1, BOX 209A WINTERS, CA 95694	DIRECTOR 0	0.	0.	0.
JACK DENNIS MARIANI ROUTE 1, BOX 209 WINTERS, CA 95694	DIRECTOR 0	0.	0.	0.
JOHN C WALLACE 312A RAILROAD AVE WINTERS, CA 95694	DIRECTOR 0	0.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1— see 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 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 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	
All other program-related investments See instructions.	
3	
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	740,087.
b Average of monthly cash balances	1b	515,653.
c Fair market value of all other assets (see instructions)	1c	
d Total (add lines 1a, b, and c)	1d	1,255,740.
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	1,255,740.
4 Cash deemed held for charitable activities Enter 1-1/2% of line 3 (for greater amount, see instructions)	4	18,836.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	1,236,904.
6 Minimum investment return. Enter 5% of line 5	6	61,845.

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

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	78,208.
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	78,208.
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 instructions)	5	
6 Adjusted qualifying distributions. Subtract line 5 from line 4	6	78,208.

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

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Part XIII Undistributed Income (see instructions)

N/A

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				
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				
b From 2005				
c From 2006				
d From 2007				
e From 2008				
f Total of lines 3a through e				
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ \$ _____				
a Applied to 2008, but not more than line 2a				
b Applied to undistributed income of prior years (Election required — see instructions)				
c Treated as distributions out of corpus (Election required — see instructions)				
d Applied to 2009 distributable amount				
e Remaining amount distributed out of corpus				
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				
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 instructions				
e Undistributed income for 2008. Subtract line 4a from line 2a Taxable amount — see 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 instructions)				
8 Excess distributions carryover from 2004 not applied on line 5 or line 7 (see instructions)				
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a				
10 Analysis of line 9				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007				
d Excess from 2008				
e Excess from 2009				

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Part XIV Private Operating Foundations (see 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 ▶

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

	Prior 3 years				(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	10,282.	11,780.	13,743.	14,620.	50,425.
b 85% of line 2a	8,740.	10,013.	11,682.	12,427.	42,862.
c Qualifying distributions from Part XII, line 4 for each year listed	78,208.	18,396.	20,051.	15,151.	131,806.
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	78,208.	18,396.	20,051.	15,151.	131,806.
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	41,230.	23,719.	26,271.	24,635.	115,855.
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 organization had \$5,000 or more in assets at any time during the year — see 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 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

SEE STATEMENT 6

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

SEE STATEMENT FOR LINE 2A

c Any submission deadlines:

SEE STATEMENT FOR LINE 2A

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

SEE STATEMENT FOR LINE 2A

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 Paid during the year SEE STATEMENT 7				
Total			3a	78,208.
b Approved for future payment				
Total			3b	

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MARIANI NUT COMPANY FOUNDATION, INC.

68-0143635

STATEMENT 1
FORM 990-PF, PART I, LINE 6A
NET GAIN (LOSS) FROM NONINVENTORY SALES PER BOOKS
ASSETS NOT INCLUDED IN PART IV

DESCRIPTION:	VARIOUS	VARIOUS		
DATE ACQUIRED:	VARIOUS			
HOW ACQUIRED:	PURCHASE			
DATE SOLD:	VARIOUS			
TO WHOM SOLD:				
GROSS SALES PRICE:		119,327.		
COST OR OTHER BASIS:		136,712.		
BASIS METHOD:	COST			
DEPRECIATION:		0.		
			GAIN (LOSS)	-17,385.

DESCRIPTION:	VARIOUS	VARIOUS		
DATE ACQUIRED:	VARIOUS			
HOW ACQUIRED:	PURCHASE			
DATE SOLD:	VARIOUS			
TO WHOM SOLD:				
GROSS SALES PRICE:		216,562.		
COST OR OTHER BASIS:		178,017.		
BASIS METHOD:	COST			
DEPRECIATION:		0.		
			GAIN (LOSS)	38,545.

DESCRIPTION:	VARIOUS	VARIOUS		
DATE ACQUIRED:	VARIOUS			
HOW ACQUIRED:	PURCHASE			
DATE SOLD:	VARIOUS			
TO WHOM SOLD:				
GROSS SALES PRICE:		56,734.		
COST OR OTHER BASIS:		74,510.		
BASIS METHOD:	COST			
DEPRECIATION:		0.		
			GAIN (LOSS)	-17,776.

DESCRIPTION:	VARIOUS	VARIOUS		
DATE ACQUIRED:	VARIOUS			
HOW ACQUIRED:	PURCHASE			
DATE SOLD:	VARIOUS			
TO WHOM SOLD:				
GROSS SALES PRICE:		89,493.		
COST OR OTHER BASIS:		65,296.		
BASIS METHOD:	COST			
DEPRECIATION:		0.		
			GAIN (LOSS)	24,197.

TOTAL \$ 27,581.

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MARIANI NUT COMPANY FOUNDATION ,INC.

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STATEMENT 2
FORM 990-PF, PART I, LINE 16C
OTHER PROFESSIONAL FEES

	(A) EXPENSES PER BOOKS	(B) NET INVESTMENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FEES	\$ 10,813.			
TOTAL	\$ 10,813.	\$ 0.	\$ 0.	\$ 0.

STATEMENT 3
FORM 990-PF, PART I, LINE 18
TAXES

	(A) EXPENSES PER BOOKS	(B) NET INVESTMENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAX WITHELD	\$ 434.			
TOTAL	\$ 434.	\$ 0.	\$ 0.	\$ 0.

STATEMENT 4
FORM 990-PF, PART I, LINE 23
OTHER EXPENSES

	(A) EXPENSES PER BOOKS	(B) NET INVESTMENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
SECRETARY OF STATE	\$ 75.			
TOTAL	\$ 75.	\$ 0.	\$ 0.	\$ 0.

STATEMENT 5
FORM 990-PF, PART III, LINE 3
OTHER INCREASES

ROUNDING				\$ 1.
TOTAL				\$ 1.

STATEMENT 6
FORM 990-PF, PART XV, LINE 2A-D
APPLICATION SUBMISSION INFORMATION

NAME OF GRANT PROGRAM:	
NAME:	SEE PART VIII LIST OF OFFICERS
CARE OF:	SEE PART VIII LIST OF OFFICERS
STREET ADDRESS:	SEE PART VIII LIST OF OFFICERS
CITY, STATE, ZIP CODE:	WINTERS, CA 95694
TELEPHONE:	
FORM AND CONTENT:	VARIOUS: RECIPIENTS MOST GENERALLY APPLY WITH A COMMITTEE
SUBMISSION DEADLINES:	NONE

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MARIANI NUT COMPANY FOUNDATION ,INC.

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STATEMENT 6 (CONTINUED)
FORM 990-PF, PART XV, LINE 2A-D
APPLICATION SUBMISSION INFORMATION

RESTRICTIONS ON AWARDS: NONE

STATEMENT 7
FORM 990-PF, PART XV, LINE 3A
RECIPIENT PAID DURING THE YEAR

NAME AND ADDRESS	DONEE RELATIONSHIP	FOUND- ATION STATUS	PURPOSE OF GRANT	AMOUNT
JULES DAMEY-FERNANDEZ 909 MERMOD PLACE WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	\$ 500.
OSCAR JARAMILLO 102 LOREN CT WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	500.
DANA FARBER CANCER INST 44 BINNEY STREET BOSTON, MA 02115	NONE	N/A	DONATION	2,000.
WINTERS CENTER FOR THE ARTS P.O. BOX 1140 WINTERS, CA 95694	NONE	N/A	DONATION	200.
CARLOS LONA 801 DUTTON STREET #39 WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	250.
VICTOR TORRES 16855 CAMPOS DR SPARTO, CA 95627	NONE	N/A	SCHOLARSHIP	250.
RUBY BUENTELLO 355 GRANITE AVE #3111 ARCATA, CA 95521	NONE	N/A	SCHOLARSHIP	250.
WINTERS LITTLE LEAGUE P.O. BOX 916 WINTERS, CA 95694	NONE	N/A	DONATION	1,305.
CITY OF WINTERS 318 FIRST STREET WINTERS, CA 95694	NONE	N/A	DONATION	1,500.
FARM CREDIT WEST PO BOX 269 WOODLAND, CA 95695	NONE	N/A	DONATION	7,317.

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STATEMENT 7 (CONTINUED)
FORM 990-PF, PART XV, LINE 3A
RECIPIENT PAID DURING THE YEAR

NAME AND ADDRESS	DONEE RELATIONSHIP	FOUND- ATION STATUS	PURPOSE OF GRANT	AMOUNT
CHURCH BULLETIN CO 1787 TRIBUTE ROAD SUITE G SACRAMENTO, CA 95815	NONE	N/A	DONATION	\$ 936.
PIERCE FOOTBALL BOOSTERS PO BOX 1048 ARBUCKLE, CA 95912	NONE	N/A	DONATION	300.
YOLO COUNTY FIREFIGHTERS ASSOCIATION PO BOX 8903 WOODLAND, CA 95776	NONE	N/A	DONATION	675.
SAINT JAMES CATHOLIC CHURCH 1275 B STREET DAVIS, CA 95616	NONE	N/A	DONATION	1,000.
WINTERS PARENT NURSERY SCHOOL 208 FOURTH STREET WINTERS, CA 95694	NONE	N/A	DONATION	400.
18TH ANNUAL BUDWEISER SHOOTOUT 300 W WIGWAM BLVD LITCHFIELD PARK, AZ 85340	NONE	N/A	DONATION	1,500.
AMERICAN CANCER SOCIETY 744 EMPIRE STREET SUITE 206 EMPIRE, CA 94533	NONE	N/A	DONATION	100.
GREAT VALLEY CENTER 201 NEEDHAM STREET MODESTO, CA 95354	NONE	N/A	DONATION	200.
WAGGONER ELEMENTARY SCHOOL 500 WEST EDWARDS ST WINTERS, CA 95694	NONE	N/A	DONATION	400.
WALNUT BARGAINING ASSOC. 533 G ST, SUITE 2 LINCOLN, CA 95648	NONE	N/A	DONATION	100.
COLLEGE OF MARIN FOUNDATION. PO BOX 446 KENTFIELD, CA 94914	NONE	N/A	DONATION	250.
WINTERS YOUTH DAY FUND PO BOX 807 WINTERS, CA 95694	NONE	N/A	DONATION	1,000.

STATEMENT 7 (CONTINUED)
FORM 990-PF, PART XV, LINE 3A
RECIPIENT PAID DURING THE YEAR

<u>NAME AND ADDRESS</u>	<u>DONEE RELATIONSHIP</u>	<u>FOUND- ATION STATUS</u>	<u>PURPOSE OF GRANT</u>	<u>AMOUNT</u>
ALYSSA YOUNAN 105 BROADVIEW LANE WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	\$ 125.
MARTHA SANCHEZ 25 E EDWARDS STREET WINTERS, CA 95694	NONE	NA	SCHOLARSHIP	125.
BRIAN MINBIOLE SCHOLARSHIP FND 21 NETHERLANDS BLVD SCHENECTADY, NY 12306	NONE	NA	DONATION	125.
EMILY MEIKLE 116 1/2 WALNUT STREET WOODLAND, CA 95695	NONE	N/A	SCHOLARSHIP	500.
BRIANA GRAF 304 MAIN STREET WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	500.
ARTEMIO FRANCO 470 COTTAGE CIRCLE WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	500.
DANIEL GARCIA 803 W GRANT AVE SPACE 73 WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	1,250.
JOSE MANUEL TORRES ESPINOZA 422 COTTAGE CIRCLE WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	500.
ANDRES NUNEZ 40 MYRTLE DRIVE WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	500.
JESUS LOZA 732 MERMOD PL WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	500.
ISRAEL AGUILERA 1034 EISENHOWER WAY WINTERS, CA 95694	NONE	N/A	SCHOLARSHIP	1,250.
AMERICAN RED CROSS OF YOLO COUNTY 120 COURT STREET WOODLAND, CA 95695	NONE	N/A	DONATION	250.

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FORM 990-PF, PART XV, LINE 3A
RECIPIENT PAID DURING THE YEAR**

<u>NAME AND ADDRESS</u>	<u>DONEE RELATIONSHIP</u>	<u>FOUND- ATION STATUS</u>	<u>PURPOSE OF GRANT</u>	<u>AMOUNT</u>
ESM METRO NY PO BOX 409 2 VAN RIPER ROAD MONTVALE, NJ 07645	NONE	N/A	DONATION	\$ 350.
WINTERS HIGH SCHOOL 101 GRANT AVE WINTERS, CA 95694	NONE	N/A	DONATION	200.
SEQUOIA LIONS CLUB PO BOX 41 VISALIA, CA 93279	NONE	N/A	DONATION	50.
CALIFORNIA AG LEADERSHIP FOUNDATION 311 NICHOLAS C SHOUTEN LANE CHICO, CA 95928	NONE	N/A	DONATION	250.
NOTRE DAME CATHOLIC SCHOOL 435 HAZEL AVE CHICO, CA 95928	NONE	N/A	DONATION	100.
WHS GRAD NITE PARENT GROUP PO BOX 377 WINTERS, CA 95694	NONE	N/A	DONATION	200.
YOLO HOSPICE PO BOX 1014 DAVIS, CA 95617	NONE	N/A	DONATION	250.
WINTERS HEALTHCARE FOUNDATION PO BOX 674 WINTERS, CA 95694	NONE	N/A	DONATION	1,500.
BJ'S CHARITY CHAMPIONSHIP 1 MERCER ROAD NATICK, MA 01760	NONE	N/A	DONATION	3,500.
GOLDEN EMPIRE COUNCIL PO BOX 13558 SACRAMENTO, CA 95853	NONE	N/A	DONATION	250.
WINTERS HIGH SCHOOL BASEBALL 101 GRANT AVENUE WINTERS, CA 95694	NONE	N/A	DONATION	350.
ALBERTO SANTANA 16834 SEBASTIAN WAY ESPARTO, CA 95627	NONE	N/A	SCHOLARSHIP	500.

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STATEMENT 7 (CONTINUED)
FORM 990-PF, PART XV, LINE 3A
RECIPIENT PAID DURING THE YEAR

NAME AND ADDRESS	DONEE RELATIONSHIP	FOUND- ATION STATUS	PURPOSE OF GRANT	AMOUNT
REYNALDO SANTANA 16834 SEBASTIAN WAY ESPARTO, CA 95627	NONE	N/A	SCHOLARSHIP	\$ 500.
UNITED CEREBRAL PALSY 101 GRANT AVENUE WINTERS, CA 95694	NONE	N/A	DONATION	100.
AVON FOUNDATION BREAST CANCER CRUSADE 1345 AVENUE FOR THE AMERICAS NEW YORK, NY 10105	NONE	N/A	DONATION	100.
GRIDLEY EDUCATION FOUNDATION 300 E SPRUCE STREET GRIDLEY, CA 95948	NONE	N/A	DONATION	1,000.
BI-LO 208 BI LO BLVD GREENVILLE, SC 29650	NONE	N/A	DONATION	500.
LOVE FOR LEANNA 612 WALNUT PARK AVENUE DIXON, CA 95620	NONE	N/A	DONATION	150.
LIVING HOPE CHURCH 655 SCHOONER RIDGE DRIVE DIXON, CA 95620	NONE	N/A	DONATION	100.
INTERNATIONAL TREENUT FOUNDATION CALLE BOULEZ , REUS 43201 SPAIN	NONE	N/A	DONATION	15,200.
SUTTER DAVIS HOSPITAL FOUNDATION 2000 SUTTER PLACE DAVIS, CA 95616	NONE	N/A	DONATION	26,000.

TOTAL \$ 78,208.