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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

OMB No 1545-0052

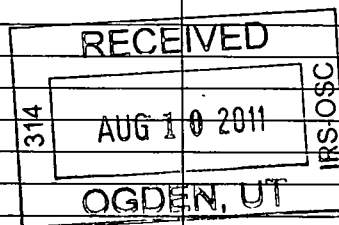
**2009**

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 **DECEMBER 1**, 2009, and ending **NOVEMBER 30**, 2010G 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 <b>SIMMONS FAMILY FOUNDATION</b>		A Employer identification number <b>13-3420599</b>
	Number and street (or P O box number if mail is not delivered to street address) <b>722 WEST SHEPARD LANE, #103</b>	Room/suite	B Telephone number (see page 10 of the instructions)
	City or town, state, and ZIP code <b>FARMINGTON, UT 84025</b>		C If exemption application is pending, check here <input type="checkbox"/> D 1. Foreign organizations, check here <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation <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			E If private foundation status was terminated under section 507(b)(1)(A), check here <input type="checkbox"/>
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) <b>\$ 9,510,158</b>		J Accounting method <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here <input type="checkbox"/>
(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) . . . . .	5,059,921			
	2 Check <input type="checkbox"/> if the foundation is not required to attach Sch. B. . . . .				
	3 Interest on savings and temporary cash investments . . . . .				
	4 Dividends and interest from securities . . . . .	27,214	27,214		
	5a Gross rents . . . . .				
	b Net rental income or (loss) . . . . .				
	6a Net gain or (loss) from sale of assets not on line 10 . . . . .				
	b Gross sales price for all assets on line 6a . . . . .				
	7 Capital gain net income (from Part IV, line 2) . . . . .		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) . . . . .					
12 Total. Add lines 1 through 11 . . . . .	5,087,135	27,214	0		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc . . . . .	10,000			10,000
	14 Other employee salaries and wages . . . . .				
	15 Pension plans, employee benefits . . . . .				
	16a Legal fees (attach schedule) . . . . .				
	b Accounting fees (attach schedule) . . . . .	1,601			1,601
	c Other professional fees (attach schedule) . . . . .				
	17 Interest . . . . .				
	18 Taxes (attach schedule) (see page 14 of the instructions) . . . . .				
	19 Depreciation (attach schedule) and depletion . . . . .				
	20 Occupancy . . . . .				
	21 Travel, conferences, and meetings . . . . .				
	22 Printing and publications . . . . .				
	23 Other expenses (attach schedule) . . . . .	1,791			1,225
	24 Total operating and administrative expenses. Add lines 13 through 23 . . . . .	13,392	0	0	12,826
	25 Contributions, gifts, grants paid . . . . .	195,000			195,000
26 Total expenses and disbursements. Add lines 24 and 25 . . . . .	208,392	0	0	207,826	
27 Subtract line 26 from line 12. . . . .					
a Excess of revenue over expenses and disbursements . . . . .	4,878,743				
b Net investment income (if negative, enter -0-) . . . . .		27,214			
c Adjusted net income (if negative, enter -0-) . . . . .			0		



**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
<b>Assets</b>	1 Cash - non-interest-bearing . . . . .	36,856	1,098,122	1,098,122
	2 Savings and temporary cash investments . . . . .	45,422	55,848	55,848
	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 ▶		1,004,088	1,004,088
	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) . . . . .	8,104,573	9,229,573	7,352,100
	c Investments - corporate bonds (attach schedule) . . . . .			
	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 <b>Total assets</b> (to be completed by all filers - see the instructions. Also, see page 1, item I) . . . . .	8,186,851	11,387,631	9,510,158	
<b>Liabilities</b>	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 ▶ SEE SCHEDULE )	6,052	1,569	
23 <b>Total liabilities</b> (add lines 17 through 22) . . . . .	6,052	1,569		
<b>Net Assets or Fund Balances</b>	<b>Foundations that follow SFAS 117, check here ▶</b> <input type="checkbox"/>			
	<b>and complete lines 24 through 26 and lines 30 and 31.</b>			
	24 Unrestricted . . . . .			
	25 Temporarily restricted . . . . .			
	26 Permanently restricted . . . . .			
	<b>Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. ▶</b> <input checked="" type="checkbox"/>			
	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 . . . . .	8,180,799	11,386,062	
	30 <b>Total net assets or fund balances</b> (see page 17 of the instructions) . . . . .	8,180,799	11,386,062	
31 <b>Total liabilities and net assets/fund balances</b> (see page 17 of the instructions) . . . . .	8,186,851	11,387,631		

**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) . . . . .	<b>1</b>	8,180,799
2 Enter amount from Part I, line 27a . . . . .	<b>2</b>	4,878,743
3 Other increases not included in line 2 (itemize) ▶	<b>3</b>	
4 Add lines 1, 2, and 3 . . . . .	<b>4</b>	13,059,542
5 Decreases not included in line 2 (itemize) ▶ SEE SCHEDULE ATTACHED	<b>5</b>	1,673,480
6 <b>Total net assets or fund balances at end of year</b> (line 4 minus line 5) - Part II, column (b), line 30 . . . . .	<b>6</b>	11,386,062

**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.)
<b>1a</b>					
<b>b</b>					
<b>c</b>					
<b>d</b>					
<b>e</b>					
(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)		
<b>a</b>			0		
<b>b</b>			0		
<b>c</b>			0		
<b>d</b>			0		
<b>e</b>			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))		
(l) 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			
<b>a</b>		0	0		
<b>b</b>		0	0		
<b>c</b>		0	0		
<b>d</b>		0	0		
<b>e</b>		0	0		
<b>2</b> Capital gain net income or (net capital loss) . . . . .			<b>2</b>	0	
<div style="display: flex; align-items: center;"> <div style="flex: 1;"> <p>If gain, also enter in Part I, line 7</p> <p>If (loss), enter -0- in Part I, line 7</p> </div> <div style="font-size: 3em; margin: 0 10px;">}</div> </div>					
<b>3</b> Net short-term capital gain or (loss) as defined in sections 1222(5) and (6):					
<div style="display: flex; align-items: center;"> <div style="flex: 1;"> <p>If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions)</p> <p>If (loss), enter -0- in Part I, line 8.</p> </div> <div style="font-size: 3em; margin: 0 10px;">}</div> </div>			<b>3</b>		

**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	469,291	3,693,824	0.1270
2007	825,107	9,605,358	0.0859
2006	835,433	16,910,105	0.0494
2005	726,816	17,166,784	0.0423
2004	577,105	14,373,382	0.0402
<b>2</b> Total of line 1, column (d) . . . . .			<b>2</b> 0.3448
<b>3</b> 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 . . . . .			<b>3</b> 0.0690
<b>4</b> Enter the net value of noncharitable-use assets for 2009 from Part X, line 5 . . . . .			<b>4</b> 9,498,053
<b>5</b> Multiply line 4 by line 3 . . . . .			<b>5</b> 655,366
<b>6</b> Enter 1% of net investment income (1% of Part I, line 27b) . . . . .			<b>6</b> 272
<b>7</b> Add lines 5 and 6 . . . . .			<b>7</b> 655,638
<b>8</b> Enter qualifying distributions from Part XII, line 4 . . . . .			<b>8</b> 207,826

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)**

1 a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 . . . . .		1	544
- 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 <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	544
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-) . . . . .			
3 Add lines 1 and 2 . . . . .			
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	544
6 Credits/Payments:			
a 2009 estimated tax payments and 2008 overpayment credited to 2009 . . . . .	6 a	1,187	7
b Exempt foreign organizations-tax withheld at source . . . . .	6 b		
c Tax paid with application for extension of time to file (Form 8868) . . . . .	6 c	2,000	
d Backup withholding erroneously withheld . . . . .	6 d		
7 Total credits and payments. Add lines 6a through 6d . . . . .	7	3,187	
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	2,643	
11 Enter the amount of line 10 to be: Credited to 2010 estimated tax <input type="checkbox"/> 2,643 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? . . . . .	1 a	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)? . . . . . 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	1 b	X
c Did the foundation file Form 1120-POL for this year? . . . . .	1 c	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? . . . . . 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
4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year? . . . . .	4 a	X
b If "Yes," has it filed a tax return on Form 990-T for this year? . . . . .	4 b	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	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
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"/> UTAH		
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 . . . . .	8 b	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)**

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 <b>▶</b> SIMMONSFUNDATION.ORG				
14	The books are in care of <b>▶</b> ELIZABETH W. GERNER	Telephone no. <b>▶</b>	801-550-5026	
	Located at <b>▶</b> ADDRESS ON RETURN	ZIP + 4 <b>▶</b>	84025	
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
<b>1a</b> 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>b</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)? . . . . .	1b	N A
Organizations relying on a current notice regarding disaster assistance check here . . . . .		
<b>c</b> 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
<b>2</b> 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)):		
<b>a</b> 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 <b>▶</b> . . . . .		
<b>b</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
<b>c</b> If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. <b>▶</b> . . . . .		
<b>3a</b> 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>b</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
<b>4a</b> Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes? . . . . .	4a	X
<b>b</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

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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 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)? ☐ **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? ☐ 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 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
SEE SCHEDULE ATTACHED				

**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

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

**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
-----		
-----		
-----		
-----		
-----		
-----		

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

**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 -----	
-----	
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 -----	
-----	
2 -----	
-----	
All other program-related investments. See page 24 of the instructions	
3 -----	
-----	
<b>Total.</b> 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 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	7,830,365
b	Average of monthly cash balances	1b	808,240
c	Fair market value of all other assets (see page 24 of the instructions)	1c	107,286
d	<b>Total</b> (add lines 1a, b, and c)	1d	8,745,891
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	8,745,891
4	Cash deemed held for charitable activities. Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	131,188
5	<b>Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4	5	8,614,703
6	<b>Minimum investment return.</b> Enter 5% of line 5	6	430,735

**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	430,735
2a	Tax on investment income for 2009 from Part VI, line 5	2a	544
b	Income tax for 2009 (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	544
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	430,191
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	430,191
6	Deduction from distributable amount (see page 25 of the instructions)	6	
7	<b>Distributable amount as adjusted.</b> Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	430,191

**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	207,826
b	Program-related investments - total from Part IX-B	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	<b>Qualifying distributions.</b> Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	207,826
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	<b>Adjusted qualifying distributions.</b> Subtract line 5 from line 4	6	207,826

**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
<b>1</b> Distributable amount for 2009 from Part XI, line 7 . . . . .				430,191
<b>2</b> Undistributed income, if any, as of the end of 2009				
<b>a</b> Enter amount for 2008 only . . . . .			183,988	
<b>b</b> Total for prior years 20____, 20____, 20____				
<b>3</b> Excess distributions carryover, if any, to 2009:				
<b>a</b> From 2004 . . . . .				
<b>b</b> From 2005 . . . . .				
<b>c</b> From 2006 . . . . .				
<b>d</b> From 2007 . . . . .				
<b>e</b> From 2008 . . . . .				
<b>f</b> Total of lines 3a through e . . . . .	0			
<b>4</b> Qualifying distributions for 2009 from Part XII, line 4: ► \$ 207,826				
<b>a</b> Applied to 2008, but not more than line 2a . . .			183,988	
<b>b</b> Applied to undistributed income of prior years (Election required - see page 26 of the instructions) . . . . .				
<b>c</b> Treated as distributions out of corpus (Election required - see page 26 of the instructions) . . . .				
<b>d</b> Applied to 2009 distributable amount . . . . .				23,838
<b>e</b> Remaining amount distributed out of corpus . .				
<b>5</b> Excess distributions carryover applied to 2009 . (If an amount appears in column (d), the same amount must be shown in column (a) )				
<b>6</b> Enter the net total of each column as indicated below:				
<b>a</b> Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	0			
<b>b</b> Prior years' undistributed income Subtract line 4b from line 2b . . . . .		0		
<b>c</b> 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 . . . . .				
<b>d</b> Subtract line 6c from line 6b. Taxable amount - see page 27 of the instructions . . . . .		0		
<b>e</b> Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see page 27 of the instructions . . . . .			0	
<b>f</b> Undistributed income for 2009. Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010. . . . .				406,353
<b>7</b> 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) . . . . .				
<b>8</b> Excess distributions carryover from 2004 not applied on line 5 or line 7 (see page 27 of the instructions) . . . . .				
<b>9</b> Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a . . . . .	0			
<b>10</b> Analysis of line 9.				
<b>a</b> Excess from 2005 . . . . .				
<b>b</b> Excess from 2006 . . . . .				
<b>c</b> Excess from 2007 . . . . .				
<b>d</b> Excess from 2008 . . . . .				
<b>e</b> Excess from 2009 . . . . .				

**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 . . . . .

**b** Check box to indicate whether the foundation is a private operating foundation described in section

4942(j)(3) or

4942(j)(5)

**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 . . . . .

Tax year	Prior 3 years				(e) Total
	(a) 2009	(b) 2008	(c) 2007	(d) 2006	
					0
<b>b</b> 85% of line 2a . . . . .	0	0	0	0	0
<b>c</b> Qualifying distributions from Part XII, line 4 for each year listed . . . . .					0
<b>d</b> Amounts included in line 2c not used directly for active conduct of exempt activities . . . . .					0
<b>e</b> Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c . . . . .	0	0	0	0	0
<b>3</b> Complete 3a, b, or c for the alternative test relied upon					
<b>a</b> "Assets" alternative test - enter					
(1) Value of all assets . . . . .					0
(2) Value of assets qualifying under section 4942(j)(3)(B)(i) . . . . .					0
<b>b</b> "Endowment" alternative test - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed . . . . .					0
<b>c</b> "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:

ELIZABETH W. GERNER, ADDRESS ON RETURN, 801-550-5026

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

SEE SCHEDULE ATTACHED FOR APPLICATION GUIDELINES

**c** Any submission deadlines:

AUGUST 15TH

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

TRUSTEES PREFER TO MAKE GRANTS WITHIN THE STATE OF UTAH

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

<div>Recipient</div> <div>Name and address (home or business)</div>	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
<b>a Paid during the year</b>  SEE SCHEDULE ATTACHED				195,000
<b>Total.</b> . . . . . ▶ <b>3a</b>				195,000
<b>b Approved for future payment</b>				
<b>Total.</b> . . . . . ▶ <b>3b</b>				0

**Part XVI-A Analysis of Income-Producing Activities**

Enter gross amounts unless otherwise indicated.

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			14	106	
4	Dividends and interest from securities . . . . .			14	27,108	
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					
9	Net income or (loss) from special events . . . . .					
10	Gross profit or (loss) from sales of inventory . . .					
11	Other revenue: a _____					
b	_____					
c	_____					
d	_____					
e	_____					
12	Subtotal. Add columns (b), (d), and (e) . . . . .		0		27,214	0
13	Total. Add line 12, columns (b), (d), and (e) . . . . .				13	27,214

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

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

[illegible]

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.			

[illegible]

**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

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.

**Sign Here**

Signature of officer or trustee

Date \_\_\_\_\_

Title

**Paid  
Preparer's  
Use Only**

Preparer's  
signature

Raymond Hong

Date \_\_\_\_\_

5/57,11

Check if  
self-employed ☐

Preparer's identifying  
number (See **Signature** on  
page 30 of the instructions)  
P00050007

Firm's name (or yours if self-employed), address, and ZIP code

MING & ASSOCIATES  
6881 PINE ROCK DRIVE  
SALT LAKE CITY, UT 84121

FIN ► 13-4339645

Phone no. 801-733-8855

Form **990-PF** (2009)

**Schedule of Contributors**

OMB No 1545-0047

▶ Attach to Form 990, 990-EZ, or 990-PF.

**2009**

Name of the organization

Employer identification number

SIMMONS FAMILY FOUNDATION

13-3420599

Organization type (check one):

Filers of:

Section:

Form 990 or 990-EZ

☐ 501(c)( ) (enter number) organization

☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation

☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation

☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation

☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.

**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

**General Rule**

- ☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

**Special Rules**

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 $\frac{1}{3}$ % support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year. . . . . ▶ \$

**Caution.** An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2 of its Form 990, or check the box on line H of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

Name of organization

SIMMONS FAMILY FOUNDATION

Employer identification number

13-3420599

**Part I Contributors** (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	ROY W. & ELIZABETH E. SIMMONS CHARITABLE REMAINDER UNITRUST 515 SOUTH 700 EAST, SLC, UT 84102	\$ 1,257,353	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
2	ROY W. & ELIZABETH E. SIMMONS CHARITABLE REMAINDER UNITRUST 515 SOUTH 700 EAST, SLC, UT 84102	\$ 1,125,000	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input checked="" type="checkbox"/> (Complete Part II if there is a noncash contribution.)
3	ESTATE OF ELIZABETH E. SIMMONS 515 SOUTH 700 EAST SALT LAKE CITY, UT 84102	\$ 2,677,568	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input checked="" type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)



Name of organization

SIMMONS FAMILY FOUNDATION

Employer identification number

13-3420599

**Part II** Noncash Property (see instructions)

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
2	120,000 SHARES OF ZIONS BANCORP STOCK	\$ 1,125,000	12/31/09
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
3	NOTE RECEIVABLE FROM ELIZABETH S. HOKE 301 TRUST	\$ 1,004,088	10/22/10
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
3	NOTE RECEIVABLE FROM DAVID E. SIMMONS 301 TRUST	\$ 1,673,480	10/22/10
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		\$	

Name of organization

SIMMONS FAMILY FOUNDATION

Employer identification number

13-3420599

**Part III** Exclusively religious, charitable, etc., individual contributions to section 501(c)(7), (8), or (10) organizations aggregating more than \$1,000 for the year. (Complete columns (a) through (e) and the following line entry. For organizations completing Part III, enter the total of exclusively religious, charitable, etc., contributions of \$1,000 or less for the year. (Enter this information once. See instructions.) ► \$

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee

**SIMMONS FAMILY FOUNDATION**

ATTACHMENT TO PART I

13-3420599

11/30/10

**PART I, LINE 1, CONTRIBUTIONS RECEIVED DURING THE YEAR GREATER THAN \$5,000**

---

**DONOR NAME & ADDRESS**

ROY W. AND ELIZABETH E. SIMMONS CHARITABLE REMAINDER UNITRUST  
515 SOUTH 700 EAST  
SALT LAKE CITY, UT 84102

**FAIR MARKET VALUE OF CONTRIBUTION**

CASH RECEIVED ON 5/25/10 = \$ 1,257,353

**DONOR NAME & ADDRESS**

ROY W. AND ELIZABETH E. SIMMONS CHARITABLE REMAINDER UNITRUST  
DAVID E. SIMMONS, TRUSTEE  
515 SOUTH 700 EAST  
SALT LAKE CITY, UT 84102

**FAIR MARKET VALUE OF CONTRIBUTION**

120,000 SHARES OF ZIONS BANCORP STOCK DONATED ON 12/31/09  
FAIR MARKET VALUE OF NON CASH CONTRIBUTION = \$ 1,125,000

**DONOR NAME & ADDRESS**

ESTATE OF ELIZABETH E. SIMMONS  
HARRIS H. SIMMONS, TRUSTEE  
515 SOUTH 700 EAST  
SALT LAKE CITY, UT 84102

**FAIR MARKET VALUE OF CONTRIBUTION**

NOTE RECEIVABLE FROM ELIZABETH S HOKE 301 TRUST, DONATED ON 10/22/10  
FAIR MARKET VALUE OF NON CASH CONTRIBUTION = \$ 1,004,088

NOTE RECEIVABLE FROM DAVID E. SIMMONS 301 TRUST, DONATED ON 10/22/10  
FAIR MARKET VALUE OF NON CASH CONTRIBUTION = \$ 1,673,480

**TOTAL CASH AND NON CASH CONTRIBUTIONS RECEIVED = \$ 5,059,921****PART I, LINE 23, OTHER EXPENSES**

---

	<u>COLUMN (A)</u>	<u>COLUMN (D)</u>
MISCELLANEOUS	129	129
OFFICE EXPENSE	331	331
PAYROLL TAXES	765	765
	566	0
	<u>1,791</u>	<u>1,225</u>

**SIMMONS FAMILY FOUNDATION**  
ATTACHMENT TO PARTS II, III, AND VII-A  
13-3420599  
11/30/10

**PART II, LINE 7, OTHER NOTES AND LOANS**

	BEGINNING (a) BOOK VALUE	ENDING (b) BOOK VALUE	ENDING FAIR MKT VALUE
NOTE RECEIVABLE - ELIZABETH S HOKE 301 TRUST		1,004,088	1,004,088
<b>TOTAL</b>	<b>0</b>	<b>1,004,088</b>	<b>1,004,088</b>

1) BORROWER'S NAME AND TITLE	ELIZABETH S HOKE 301 TRUST, HENRY S PHIBBS, TRUSTEE
2) ORIGINAL AMOUNT	\$1,004,088
3) BALANCE DUE AT 11/30/10	\$1,004,088
4) DATE OF NOTE	12/31/09
5) MATURITY DATE	12/31/24
6) REPAYMENT TERMS	INTEREST DUE ON OR BEFORE DECEMBER 31ST OF EACH YEAR
6) REPAYMENT TERMS	ALL UNPAID INTEREST AND PRINCIPAL DUE ON OR BEFORE 12/31/24
7) INTEREST RATE	4 17%
8) SECURITY PROVIDED BY BORROW	7 383% INTEREST IN RES PROPERTIES, LPA
9) PURPOSE OF LOAN	NOTE RECEIVABLE WAS DONATED TO THE FOUNDATION BY THE ESTATE OF ELIZABETH E SIMMONS
10) DESCRIPTION AND FMV OF CONSIDERATION	NOTE RECEIVABLE WAS DONATED TO THE FOUNDATION BY THE ESTATE OF ELIZABETH E SIMMONS

**PART II, LINE 10b, INVESTMENTS IN CORPORATE STOCK**

	BEGINNING (a) BOOK VALUE	ENDING (b) BOOK VALUE	ENDING FAIR MKT VALUE
258,000 SHARES OF ZIONS BANCORP STOCK	8,104,573		
378,000 SHARES OF ZIONS BANCORP STOCK		9,229,573	7,352,100
	<b>8,104,573</b>	<b>9,229,573</b>	<b>7,352,100</b>

**PART II, LINE 22, OTHER LIABILITIES**

	BEGINNING (a) BOOK VALUE	ENDING (b) BOOK VALUE
CREDIT CARD PAYABLE	528	39
PAYROLL TAXES PAYABLE	5,524	1,530
	<b>6,052</b>	<b>1,569</b>

**PART III, LINE 5, DECREASES NOT INCLUDED IN LINE 2**

NOTE RECEIVABLE - DAVID E SIMMONS 301 TRUST WAS DONATED  
TO THE SIMMONS FAMILY FOUNDATION ON 10/22/10  
ON 10/22/10, THE SIMMONS FAMILY FOUNDATION ASSIGNED THE NOTE TO  
THE DAVID E AND MELINDA K SIMMONS FOUNDATION (EIN 20-1848806)

**1,673,480**

**PART VII-A, LINE 10, SUBSTANTIAL CONTRIBUTORS**

DONOR NAME & ADDRESS

ROY W AND ELIZABETH E SIMMONS CHARITABLE ANNUITY LEAD TRUST #1  
DAVID E SIMMONS, TRUSTEE  
515 SOUTH 700 EAST  
SALT LAKE CITY, UT 84102

DONOR NAME & ADDRESS

ROY W AND ELIZABETH E SIMMONS CHARITABLE REMAINDER UNITRUST  
515 SOUTH 700 EAST  
SALT LAKE CITY, UT 84102

DONOR NAME & ADDRESS

ESTATE OF ELIZABETH E SIMMONS  
515 SOUTH 700 EAST  
SALT LAKE CITY, UT 84102

**SIMMONS FAMILY FOUNDATION**  
ATTACHMENT TO PARTS VIII AND XV  
13-3420599  
11/30/10

**PART VIII, LINE 1, LIST ALL OFFICERS, TRUSTEES, FOUNDATION MANAGERS AND THEIR COMPENSATION**

(a) NAME AND ADDRESSES	(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
JULIA S WATKINS 856 CRESTWOOD, KAYSVILLE, UT	TRUSTEE	0	0	0
L E SIMMONS 2923 DEL MONTE, HOUSTON, TX	TRUSTEE	0	0	0
ELIZABETH S HOKE PO BOX 287, WILSON, WY	TRUSTEE	0	0	0
HARRIS H SIMMONS 475 EAST OAK FOREST ROAD, SLC, UT	TRUSTEE	0	0	0
DAVID E SIMMONS 1566 CONNECTICUT DRIVE, SLC, UT	TRUSTEE	0	0	0

**PART XV, LINE 3, GRANT AND CONTRIBUTIONS PAID DURING THE YEAR**

RECIPIENT NAME & ADDRESS	IF RECIPIENT IS AN INDIVIDUAL SHOW RELATIONSHIP TO FOUNDATION MANAGER OR SUBSTANTIAL CONTRIBUTOR	FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
AMERICAN INDIAN SERVICES 1902 NORTH CANYON ROAD, #100 PROVO, UT 84604			CHARITABLE CONTRIBUTION	20,000
BYU COLLEGE OF LIFE SCIENCES 392 WBD, BRIGHAM YOUNG UNIVERSITY PROVO, UT 84602			CHARITABLE CONTRIBUTION	65,000
LDS BUSINESS COLLEGE 411 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84111			CHARITABLE CONTRIBUTION	10,000
PIONEER THEATRE COMPANY 300 SOUTH 1400 EAST, ROOM 205 SALT LAKE CITY, UT 84112			CHARITABLE CONTRIBUTION	30,000
UNIVERSITY OF UTAH 201 PRESIDENTS CIRCLE, ROOM 304 SALT LAKE CITY, UT 84112			CHARITABLE CONTRIBUTION	20,000
UTAH SHAKESPEAREAN FESTIVAL 351 WEST CENTER STREET CEDAR CITY, UT 84720			CHARITABLE CONTRIBUTION	10,000
UTAH STATE UNIVERSITY 2800 OLD MAIN HILL LOGAN, UT 84322			CHARITABLE CONTRIBUTION	40,000
<b>TOTAL</b>				<b>195,000</b>

## **Simmons Family Foundation Application Guidelines**

### **General Information**

The Simmons Family Foundation is a private foundation established in Salt Lake City in 1986 by Roy W. and Elizabeth E. Simmons. The Foundation is governed by a Board of Trustees who meets semiannually to consider grant requests.

### **Grant Program**

The Foundation is committed to fostering virtues of good citizenship through religious, medical, community, art and educational purposes. The Trustees place priority on organizations and projects serving the people of the State of Utah.

### **Eligibility Criteria**

Only non-profit organizations that are tax-exempt under the Internal Revenue Code's sections 501(c)(3) or 170(c) are eligible for grants. The Foundation does not make grants to individuals.

### **Preferences**

The Board of Trustees prefers not to fund organizations that in turn make grants to others.

### **Application Procedure**

The Foundation will acknowledge receipt of all proposals. Requests will be reviewed and evaluated before they are presented to the Board of Trustees. Applications should consist of a letter and other supporting documents, as outlined below.

### **Letter of Application**

Organizations requesting a grant should submit a letter on the letterhead of the organization. This letter must be signed by the chief executive officer (e.g., President, Executive Director, etc.) and should include a statement that the CEO approves the request and endorses it as a strong priority of the organization for Foundation support.

The letter must include the following information:

- A brief description of the history and mission of the organization and its current activities.
- A statement that explains the problem or issues the project addresses, how the project will respond to or resolve that problem, and why the strategy will be effective. If statistics or opinions are included, the source or reference should be cited.
- A statement of the specific population that will benefit from the project.
- A description of the activities and timetable for their accomplishment.
- A detailed budget of the overall cost of the project, the amount of funding requested from the Foundation and how the funds will be used. The statement should discuss how the project would be funded after the Foundation's funding ceases.

- A list of all other sources of support that have committed funding for the proposed project, including the amount of support committed.
- A list of all other sources of support from which the organization has requested funding for the project, including the amount requested, and for which a response is pending as of the date of application.
- The proposed method for evaluating the project's effectiveness.
- The name, title and telephone number of the person with whom the Foundation should communicate regarding the request, if other than the CEO.
- A photocopy of the latest determination letter issued by the Internal Revenue Service regarding the organization's current tax-exempt status under section 501(c)(3) or section 170 (c).
- The organization's most recent audited financial statements. If the organization's financial statements are not audited, reviewed, or compiled by an independent accountant, the organization should submit internally prepared financial statements, including a balance sheet and a statement of revenues and expenses, marked unaudited.
- A complete copy of the organization's most recently filed IRS Form 990, including Schedule A and all supporting schedules.
- The organization's current annual operating budget, including revenues and expenses.
- A current list of the organization's board of directors or trustees. If the project has a separate advisory group, the organization should submit these names in addition to the board list.

Only one copy of material is needed. Elaborate presentations are unnecessary. All materials submitted remain the property of the Foundation.

### **Deadlines**

The Board of Trustees meets once time a year, in the fall, to consider grant requests. Grant applications should reach the Foundation no later than the following date:

August 15 – for a November decision

Applicants can help the Foundation provide a timely response by using these guidelines as a checklist to ensure that all necessary information is provided with the original request. The Foundation will notify the applicant that the request has been received and ask for additional information that may be needed. All applicants are notified in writing of action taken by the Board of Trustees.

Application packages should be mailed or delivered to:

Simmons Family Foundation  
Attn. Elizabeth W. Gerner  
722 W. Shepard Lane, Suite 103  
Farmington, UT 84025

For additional information, call (801) 550-5026.

**Application for Extension of Time To File an  
Exempt Organization Return**

OMB No. 1545-1709

▶ **File a separate application for each return.**

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box ☒ **X**
  - If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form)
- Do not complete Part II unless** you have already been granted an automatic 3-month extension on a previously filed Form 8868.

**Part I Automatic 3-Month Extension of Time.** Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete

Part I only ☐*All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.*

**Electronic Filing (e-file).** Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit [www.irs.gov/efile](http://www.irs.gov/efile) and click on *e-file for Charities & Nonprofits*.

<b>Type or print</b>  File by the due date for filing your return. See instructions.	Name of Exempt Organization	Employer identification number
	SIMMONS FAMILY FOUNDATION	13-3420599
	Number, street, and room or suite no. If a P.O. box, see instructions	
	722 WEST SHEPARD LANE, #103	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	FARMINGTON, UT 84025	

**Check type of return to be filed** (file a separate application for each return):

<input type="checkbox"/> Form 990	<input type="checkbox"/> Form 990-T (corporation)	<input type="checkbox"/> Form 4720
<input type="checkbox"/> Form 990-BL	<input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust)	<input type="checkbox"/> Form 5227
<input type="checkbox"/> Form 990-EZ	<input type="checkbox"/> Form 990-T (trust other than above)	<input type="checkbox"/> Form 6069
<input checked="" type="checkbox"/> Form 990-PF	<input type="checkbox"/> Form 1041-A	<input type="checkbox"/> Form 8870

- The books are in the care of ▶ ELIZABETH GERNER

Telephone No. ▶ 801-550-5026

FAX No. ▶

- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) 43715. If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension will cover.

1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until JULY 15, 2011, to file the exempt organization return for the organization named above. The extension is for the organization's return for

- ▶ ☐ calendar year \_\_\_\_\_ or  
 ▶ ☒ tax year beginning DECEMBER 1, 2009, and ending NOVEMBER 30, 2010.

2 If this tax year is for less than 12 months, check reason: ☐ Initial return ☐ Final return ☐ Change in accounting period

<b>3a</b> If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	<b>3a</b>	\$	2,000
<b>b</b> If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	<b>3b</b>	\$	
<b>c Balance Due.</b> Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	<b>3c</b>	\$	2,000

**Caution.** If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

For Privacy Act and Paperwork Reduction Act Notice, see Instructions.

Form **8868** (Rev. 4-2009)