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

**2010**

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

For calendar year 2010, or tax year beginning , 2010, and ending , 20

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

Name of foundation **CUMMING FOUNDATION** A Employer identification number **87-0440091**

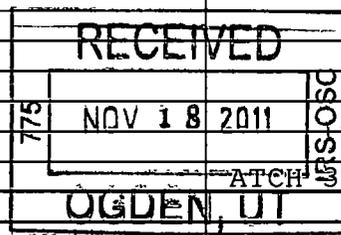
Number and street (or P O box number if mail is not delivered to street address) Room/suite B Telephone number (see page 10 of the instructions)  
**165 HUCKLEBERRY DRIVE** **(307) 734-0708**

City or town, state, and ZIP code C If exemption application is pending, check here   
**JACKSON, WY 83001** D 1 Foreign organizations, check here   
 2 Foreign organizations meeting the 85% test check here and attach computation

H Check type of organization  Section 501(c)(3) exempt private foundation E If private foundation status was terminated under section 507(b)(1)(A), check here   
 Section 4947(a)(1) nonexempt charitable trust  Other taxable private foundation F If the foundation is in a 60-month termination under section 507(b)(1)(B) check here

I Fair market value of all assets at end of year (from Part II, col (c), line 16) **\$ 17,979,795.** J Accounting method  Cash  Accrual  Other (specify) \_\_\_\_\_  
 (Part I, column (d) must be on cash basis)

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
1 Contributions, gifts, grants, etc., received (attach schedule)		0.			
2 Check <input type="checkbox"/> if the foundation is not required to attach Sch B					
3 Interest on savings and temporary cash investments		163,255.	145,556.		ATCH 1
4 Dividends and interest from securities		95,265.	94,918.		ATCH 2
5a Gross rents					
b Net rental income or (loss)					
6a Net gain or (loss) from sale of assets not on line 10		154,843.			
b Gross sales price for all assets on line 6a <b>2,606,916.</b>					
7 Capital gain net income (from Part IV, line 2)			153,092.		
8 Net short-term capital gain					
9 Income modifications					
10a Gross sales less returns and allowances					
b Less Cost of goods sold					
c Gross profit or (loss) (attach schedule)					
11 Other income (attach schedule)		490,613.	-90,760.		ATCH 3
12 Total Add lines 1 through 11		903,976.	302,806.		
13 Compensation of officers, directors, trustees, etc.		0.			
14 Other employee salaries and wages		98,320.	39,328.		58,992.
15 Pension plans, employee benefits					
16a Legal fees (attach schedule) <b>ATCH 4</b>		5,537.	2,215.	0.	3,322.
b Accounting fees (attach schedule) <b>ATCH 5</b>		24,713.	9,885.	0.	14,828.
c Other professional fees (attach schedule) *		36,792.	14,717.		22,075.
17 Interest					
18 Taxes (attach schedule) (see page 14 of the instructions) *		-78,772.			
19 Depreciation (attach schedule) and depletion					
20 Occupancy					
21 Travel, conferences, and meetings		14,144.	5,658.		8,486.
22 Printing and publications					
23 Other expenses (attach schedule) <b>ATCH 8</b>		17,103.	4,205.		12,898.
24 Total operating and administrative expenses. Add lines 13 through 23		117,837.	76,008.	0.	120,601.
25 Contributions, gifts, grants paid		2,213,772.			2,213,292.
26 Total expenses and disbursements Add lines 24 and 25		2,331,609.	76,008.	0.	2,333,893.
27 Subtract line 26 from line 12					
a Excess of revenue over expenses and disbursements		-1,427,633.			
b Net investment income (if negative, enter -0-)			226,798.		
c Adjusted net income (if negative, enter -0-)					



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Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions.)		
		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing . . . . .	157,770.	717,426.	717,426.
	2 Savings and temporary cash investments . . . . .	67,806.	30,164.	30,164.
	3 Accounts receivable ▶ 2,429.			
	Less allowance for doubtful accounts ▶	37,873.	2,429.	2,429.
	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 15 of the instructions)			
	7 Other notes and loans receivable (attach schedule) ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use . . . . .			
	9 Prepaid expenses and deferred charges . . . . .			
	10 a Investments - U.S. and state government obligations (attach schedule) . . . . .			
	b Investments - corporate stock (attach schedule) <b>ATCH 9</b>	22,669,271.	19,868,242.	9,832,362.
	c Investments - corporate bonds (attach schedule) <b>ATCH 10</b>	760,334.	711,808.	735,370.
	11 Investments - land, buildings, and equipment basis			
Less accumulated depreciation (attach schedule) ▶				
12 Investments - mortgage loans . . . . .				
13 Investments - other (attach schedule) <b>ATCH 11</b>	5,380,149.	6,288,679.	6,662,044.	
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) . . . . .	29,073,203.	27,618,748.	17,979,795.	
Liabilities	17 Accounts payable and accrued expenses . . . . .	28,781.	2,071.	
	18 Grants payable . . . . .			
	19 Deferred revenue . . . . .			
	20 Loans from officers, directors, trustees, and other disqualified persons . . . . .			
	21 Mortgages and other notes payable (attach schedule) . . . . .			
	22 Other liabilities (describe ▶)			
	23 <b>Total liabilities</b> (add lines 17 through 22) . . . . .	28,781.	2,071.	
Net Assets or Fund Balances	<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 . . . . .	185,930.	185,930.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund . . . . .			
29 Retained earnings, accumulated income, endowment, or other funds . . . . .	28,858,492.	27,430,747.		
30 <b>Total net assets or fund balances</b> (see page 17 of the instructions) . . . . .	29,044,422.	27,616,677.		
31 <b>Total liabilities and net assets/fund balances</b> (see page 17 of the instructions) . . . . .	29,073,203.	27,618,748.		

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	29,044,422.
2 Enter amount from Part I, line 27a . . . . .	2	-1,427,633.
3 Other increases not included in line 2 (itemize) ▶	3	
4 Add lines 1, 2, and 3 . . . . .	4	27,616,789.
5 Decreases not included in line 2 (itemize) ▶ <b>ATTACHMENT 12</b>	5	112.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30 . . . . .	6	27,616,677.

**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>	SEE PART IV SCHEDULE			
<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>			
<b>b</b>			
<b>c</b>			
<b>d</b>			
<b>e</b>			

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

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

<b>2</b> Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	<b>2</b>	153,092.
<b>3</b> Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8.		<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))
2009	1,455,640.	18,890,922.	0.077055
2008	2,678,620.	39,161,936.	0.068399
2007	4,724,681.	56,645,625.	0.083408
2006	3,953,959.	45,899,804.	0.086143
2005	3,894,272.	36,868,745.	0.105625

<b>2</b> Total of line 1, column (d)	<b>2</b>	0.420630
<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>	0.084126
<b>4</b> Enter the net value of noncharitable-use assets, for 2010 from Part X, line 5	<b>4</b>	17,270,805.
<b>5</b> Multiply line 4 by line 3	<b>5</b>	1,452,924.
<b>6</b> Enter 1% of net investment income (1% of Part I, line 27b)	<b>6</b>	2,268.
<b>7</b> Add lines 5 and 6	<b>7</b>	1,455,192.
<b>8</b> Enter qualifying distributions from Part XII, line 4 If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions on page 18	<b>8</b>	2,333,893.

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

1a	Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1 . . . . . Date of ruling or determination letter _____ (attach copy of ruling letter if necessary - see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b . . . . .	1	2,268.
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-) . . . . .	2	
3	Add lines 1 and 2 . . . . .	3	2,268.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-) . . . . .	4	0.
5	<b>Tax based on investment income.</b> Subtract line 4 from line 3 If zero or less, enter -0- . . . . .	5	2,268.
6	Credits/Payments		
a	2010 estimated tax payments and 2009 overpayment credited to 2010 . . . . .	6a	65,000.
b	Exempt foreign organizations-tax withheld at source . . . . .	6b	9.
c	Tax paid with application for extension of time to file (Form 8868) . . . . .	6c	0.
d	Backup withholding erroneously withheld . . . . .	6d	
7	Total credits and payments Add lines 6a through 6d . . . . .	7	65,009.
8	Enter any <b>penalty</b> for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached . . . . .	8	
9	<b>Tax due</b> If the total of lines 5 and 8 is more than line 7, enter <b>amount owed</b> . . . . .	9	
10	<b>Overpayment.</b> If line 7 is more than the total of lines 5 and 8, enter the <b>amount overpaid</b> . . . . .	10	62,741.
11	Enter the amount of line 10 to be <b>Credited to 2011 estimated tax</b> ▶ 8,000. <b>Refunded</b> ▶	11	54,741.

**Part VII-A Statements Regarding Activities**

	Yes	No
1a		X
1b		X
1c	N/A	
2		X
3		X
4a	X	
4b	X	
5		X
6	X	
7	X	
8b	X	
9		X
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 N/A
14 The books are in care of CATHY MCNAB Telephone no 307-734-0708
Located at 148 SOUTH REDMOND JACKSON, WY ZIP + 4 83001
15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here . . . . . 15
16 At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country? . . . . . 16 Yes No X
See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1 If "Yes," enter the name of the foreign country

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.

1a During the year did the foundation (either directly or indirectly)
(1) Engage in the sale or exchange, or leasing of property with a disqualified person? . . . . . Yes X No
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? . . . . . Yes X No
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? . . . . . Yes X No
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? . . . . . Yes X No
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? . . . . . Yes X No
(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days) . . . . . Yes X No
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)? . . . . . 1b N/A
Organizations relying on a current notice regarding disaster assistance check here . . . . .
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2010? . . . . . 1c X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))
a At the end of tax year 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010? . . . . . Yes X No
If "Yes," list the years
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see page 22 of the instructions) . . . . . 2b N/A
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? . . . . . X Yes No
b If "Yes," did it have excess business holdings in 2010 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 2010) . . . . . 3b X
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes? . . . . . 4a X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010? . . . . . 4b X

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

5a During the year did the foundation pay or incur any amount to... (1) Carry on propaganda... (2) Influence the outcome of any specific public election... (3) Provide a grant to an individual for travel... (4) Provide a grant to an organization other than a charitable... (5) Provide for any purpose other than religious... b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify... c If the answer is "Yes" to question 5a(4), does the foundation claim exemption... 6a Did the foundation, during the year, receive any funds... 6b Did the foundation, during the year, pay premiums... 7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? 7b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction?

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).

Table with 5 columns: (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. Row 1: ATTACHMENT 13, 0, 0, 0.

2 Compensation of five highest-paid employees (other than those included on line 1 - see page 23 of the instructions). If none, enter "NONE."

Table with 5 columns: (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. Row 1: NONE.

Total number of other employees paid over \$50,000 . . . . . NONE

**Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)**

**3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE."**

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

Total number of others receiving over \$50,000 for professional services . . . . . **NONE**

**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 NOT APPLICABLE	
2	
3	
4	

**Part IX-B Summary of Program-Related Investments (see page 24 of the instructions)**

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

	Amount
1 NOT APPLICABLE	
2	
All other program-related investments See page 24 of the instructions	

**3 NONE**

**Total. Add lines 1 through 3 . . . . .**

**Part X Minimum Investment Return** (All domestic foundations must complete this part. Foreign foundations, see page 24 of the instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes		
a	Average monthly fair market value of securities	1a	17,100,215.
b	Average of monthly cash balances	1b	431,168.
c	Fair market value of all other assets (see page 25 of the instructions)	1c	2,429.
d	<b>Total</b> (add lines 1a, b, and c)	1d	17,533,812.
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	0.
3	Subtract line 2 from line 1d	3	17,533,812.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions)	4	263,007.
5	<b>Net value of noncharitable-use assets.</b> Subtract line 4 from line 3. Enter here and on Part V, line 4	5	17,270,805.
6	<b>Minimum investment return.</b> Enter 5% of line 5	6	863,540.

**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	863,540.
2a	Tax on investment income for 2010 from Part VI, line 5	2a	2,268.
b	Income tax for 2010 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	2,268.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	861,272.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	861,272.
6	Deduction from distributable amount (see page 25 of the instructions)	6	0.
7	<b>Distributable amount as adjusted.</b> Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	861,272.

**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	2,333,893.
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	0.
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	0.
b	Cash distribution test (attach the required schedule)	3b	0.
4	<b>Qualifying distributions.</b> Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	2,333,893.
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	2,268.
6	<b>Adjusted qualifying distributions.</b> Subtract line 5 from line 4	6	2,331,625.

**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 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7 . . . . .				861,272.
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only . . . . .			0.	
b Total for prior years 20 08, 20 07, 20 06 . . . . .		0.		
3 Excess distributions carryover, if any, to 2010				
a From 2005 . . . . .	2,078,201.			
b From 2006 . . . . .	1,687,623.			
c From 2007 . . . . .	2,043,478.			
d From 2008 . . . . .	784,641.			
e From 2009 . . . . .	805,427.			
f Total of lines 3a through e . . . . .	7,399,370.			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ 2,333,893.				
a Applied to 2009, but not more than line 2a . . . . .			0.	
b Applied to undistributed income of prior years (Election required - see page 26 of the instructions) . . . . .				
c Treated as distributions out of corpus (Election required - see page 26 of the instructions) . . . . .				
d Applied to 2010 distributable amount . . . . .				861,272.
e Remaining amount distributed out of corpus . . . . .	1,472,621.			
5 Excess distributions carryover applied to 2010 (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 . . . . .	8,871,991.			
b Prior years' undistributed income Subtract line 4b from line 2b . . . . .		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed . . . . .				
d Subtract line 6c from line 6b Taxable amount - see page 27 of the instructions . . . . .		0.		
e Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions . . . . .			0.	
f Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011 . . . . .				
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions) . . . . .				
8 Excess distributions carryover from 2005 not applied on line 5 or line 7 (see page 27 of the instructions) . . . . .	2,078,201.			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a . . . . .	6,793,790.			
10 Analysis of line 9				
a Excess from 2006 . . . . .	1,687,623.			
b Excess from 2007 . . . . .	2,043,478.			
c Excess from 2008 . . . . .	784,641.			
d Excess from 2009 . . . . .	805,427.			
e Excess from 2010 . . . . .	1,472,621.			

**Part XIV Private Operating Foundations** (see page 27 of the instructions and Part VII-A, question 9) NOT APPLICABLE

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 2010, enter the date of the ruling . . . . .

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

	Tax year		Prior 3 years		(e) Total
	(a) 2010	(b) 2009	(c) 2008	(d) 2007	
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed . . . . .					
b 85% of line 2a . . . . .					
c Qualifying distributions from Part XII, line 4 for each year listed . . . . .					
d Amounts included in line 2c not used directly for active conduct of exempt activities . . . . .					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c . . . . .					
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test - enter					
(1) Value of all assets . . . . .					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i) . . . . .					
b "Endowment" alternative test - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed . . . . .					
c "Support alternative test - enter					
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties) . . . . .					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii) . . . . .					
(3) Largest amount of support from an exempt organization . . . . .					
(4) Gross investment income . . . . .					

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

**1 Information Regarding Foundation Managers:**

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

IAN M. CUMMING

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

N/A

**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

ATTACHMENT 14

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

LETTER FORM

c Any submission deadlines

NONE

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

NONE

**Part XV** Supplementary Information (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a Paid during the year SEE STATEMENT 15				2,213,292.
<b>Total</b> ..... ▶ 3a				2,213,292.
b Approved for future payment				
<b>Total</b> ..... ▶ 3b				





**SCHEDULE D  
(Form 1041)**

Department of the Treasury  
Internal Revenue Service

**Capital Gains and Losses**

▶ Attach to Form 1041, Form 5227, or Form 990-T. See the Instructions for Schedule D (Form 1041) (also for Form 5227 or Form 990-T, if applicable).

OMB No 1545-0092

**2010**

Name of estate or trust

CUMMING FOUNDATION

Employer identification number

87-0440091

Note: Form 5227 filers need to complete *only* Parts I and II

**Part I Short-Term Capital Gains and Losses - Assets Held One Year or Less**

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Sales price	(e) Cost or other basis (see instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
<b>1a</b>					

<b>b</b> Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b . . . . .	<b>1b</b>	232,512.
<b>2</b> Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824 . . . . .	<b>2</b>	
<b>3</b> Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts . . . . .	<b>3</b>	
<b>4</b> Short-term capital loss carryover Enter the amount, if any, from line 9 of the 2009 Capital Loss Carryover Worksheet . . . . .	<b>4</b>	( )
<b>5</b> <b>Net short-term gain or (loss).</b> Combine lines 1a through 4 in column (f) Enter here and on line 13, column (3) on the back . . . . . ▶	<b>5</b>	232,512.

**Part II Long-Term Capital Gains and Losses - Assets Held More Than One Year**

(a) Description of property (Example 100 shares 7% preferred of "Z" Co)	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Sales price	(e) Cost or other basis (see instructions)	(f) Gain or (loss) for the entire year Subtract (e) from (d)
<b>6a</b>					

<b>b</b> Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b . . . . .	<b>6b</b>	-79,420.
<b>7</b> Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824 . . . . .	<b>7</b>	
<b>8</b> Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts . . . . .	<b>8</b>	
<b>9</b> Capital gain distributions . . . . .	<b>9</b>	
<b>10</b> Gain from Form 4797, Part I . . . . .	<b>10</b>	
<b>11</b> Long-term capital loss carryover Enter the amount, if any, from line 14 of the 2009 Capital Loss Carryover Worksheet . . . . .	<b>11</b>	( )
<b>12</b> <b>Net long-term gain or (loss).</b> Combine lines 6a through 11 in column (f) Enter here and on line 14a, column (3) on the back . . . . . ▶	<b>12</b>	-79,420.

For Paperwork Reduction Act Notice, see the Instructions for Form 1041.

Schedule D (Form 1041) 2010

<b>Part III Summary of Parts I and II</b> Caution: Read the instructions before completing this part		(1) Beneficiaries' (see instr)	(2) Estate's or trust's	(3) Total
<b>13</b>	Net short-term gain or (loss)	<b>13</b>		232,512.
<b>14</b>	Net long-term gain or (loss):			
a	Total for year	<b>14a</b>		-79,420.
b	Unrecaptured section 1250 gain (see line 18 of the wrksht)	<b>14b</b>		
c	28% rate gain	<b>14c</b>		
<b>15</b>	Total net gain or (loss). Combine lines 13 and 14	<b>15</b>		153,092.

**Note:** If line 15, column (3), is a net gain, enter the gain on Form 1041, line 4 (or Form 990-T, Part I, line 4a). If lines 14a and 15, column (2), are net gains, go to Part V, and do not complete Part IV. If line 15, column (3), is a net loss, complete Part IV and the **Capital Loss Carryover Worksheet**, as necessary.

<b>Part IV Capital Loss Limitation</b>		
<b>16</b>	Enter here and enter as a (loss) on Form 1041, line 4 (or Form 990-T, Part I, line 4c, if a trust), the smaller of a The loss on line 15, column (3) or b \$3,000	<b>16</b> ( )

**Note:** If the loss on line 15, column (3), is more than \$3,000, or if Form 1041, page 1, line 22 (or Form 990-T, line 34), is a loss, complete the **Capital Loss Carryover Worksheet** on page 7 of the instructions to figure your capital loss carryover.

**Part V Tax Computation Using Maximum Capital Gains Rates**

**Form 1041 filers.** Complete this part only if both lines 14a and 15 in column (2) are gains, or an amount is entered in Part I or Part II and there is an entry on Form 1041, line 2b(2), and Form 1041, line 22, is more than zero.

**Caution:** Skip this part and complete the worksheet on page 8 of the instructions if

- Either line 14b, col (2) or line 14c, col (2) is more than zero, or
- Both Form 1041, line 2b(1), and Form 4952, line 4g are more than zero

**Form 990-T trusts.** Complete this part only if both lines 14a and 15 are gains, or qualified dividends are included in income in Part I of Form 990-T, and Form 990-T, line 34, is more than zero. Skip this part and complete the worksheet on page 8 of the instructions if either line 14b, col (2) or line 14c, col (2) is more than zero.

<b>17</b>	Enter taxable income from Form 1041, line 22 (or Form 990-T, line 34)	<b>17</b>	
<b>18</b>	Enter the smaller of line 14a or 15 in column (2) but not less than zero	<b>18</b>	
<b>19</b>	Enter the estate's or trust's qualified dividends from Form 1041, line 2b(2) (or enter the qualified dividends included in income in Part I of Form 990-T)	<b>19</b>	
<b>20</b>	Add lines 18 and 19	<b>20</b>	
<b>21</b>	If the estate or trust is filing Form 4952, enter the amount from line 4g, otherwise, enter -0-	<b>21</b>	
<b>22</b>	Subtract line 21 from line 20. If zero or less, enter -0-	<b>22</b>	
<b>23</b>	Subtract line 22 from line 17. If zero or less, enter -0-	<b>23</b>	
<b>24</b>	Enter the smaller of the amount on line 17 or \$2,300	<b>24</b>	
<b>25</b>	Is the amount on line 23 equal to or more than the amount on line 24? <input type="checkbox"/> Yes. Skip lines 25 and 26, go to line 27 and check the "No" box <input type="checkbox"/> No. Enter the amount from line 23	<b>25</b>	
<b>26</b>	Subtract line 25 from line 24	<b>26</b>	
<b>27</b>	Are the amounts on lines 22 and 26 the same? <input type="checkbox"/> Yes. Skip lines 27 thru 30, go to line 31 <input type="checkbox"/> No. Enter the smaller of line 17 or line 22	<b>27</b>	
<b>28</b>	Enter the amount from line 26 (If line 26 is blank, enter -0-)	<b>28</b>	
<b>29</b>	Subtract line 28 from line 27	<b>29</b>	
<b>30</b>	Multiply line 29 by 15% ( .15)	<b>30</b>	
<b>31</b>	Figure the tax on the amount on line 23. Use the 2010 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041)	<b>31</b>	
<b>32</b>	Add lines 30 and 31	<b>32</b>	
<b>33</b>	Figure the tax on the amount on line 17. Use the 2010 Tax Rate Schedule for Estates and Trusts (see the Schedule G instructions in the instructions for Form 1041)	<b>33</b>	
<b>34</b>	Tax on all taxable income. Enter the smaller of line 32 or line 33 here and on Form 1041, Schedule G, line 1a (or Form 990-T, line 36)	<b>34</b>	





FEDERAL FOOTNOTES

STATEMENT REGARDING 2009 EXCESS DISTRIBUTION CARRYOVER ON PAGE 9,  
PART XIII, LINE 3(E):

THE 2009 EXCESS DISTRIBUTION CARRYOVER AMOUNT OF \$512,966 HAS BEEN  
INCREASED BY \$292,461 DUE TO A PRIOR PERIOD ADJUSTMENT FOR IN-KIND  
DONATIONS MADE BY THE FOUNDATION.

**FORM 990-PF - PART IV  
CAPITAL GAINS AND LOSSES FOR TAX ON INVESTMENT INCOME**

Kind of Property		Description				Date acquired	Date sold
Gross sale price less expenses of sale	Depreciation allowed/ allowable	Cost or other basis	FMV as of 12/31/69	Adj basis as of 12/31/69	Excess of FMV over adj basis	Gain or (loss)	
249,735.		9,794 SHS LEUCADIA STOCK 228,367.				VARIOUS 21,368.	02/01/2010
379,385.		15,206 SHS LEUCADIA STOCK 354,558.				VARIOUS 24,827.	03/11/2010
630,237.		25,000 SHS LEUCADIA STOCK 655,354.				VARIOUS -25,117.	04/08/2010
672,671.		25,000 SHS LEUCADIA STOCK 781,375.				VARIOUS -108,704.	04/15/2010
627,147.		LEUCADIA STOCK 781,376.				VARIOUS -154,229.	10/14/2010
47,741.		SAW - SOLD BONDS 48,526.				VARIOUS -785.	06/30/2010
		NET LONG-TERM GAIN FROM PASS-THROUGH ENT				VARIOUS 152,593.	VARIOUS
		NET SHORT-TERM GAIN FROM PASS-THROUGH EN				VARIOUS 232,512.	VARIOUS
		NET SECTION 1231 GAIN FROM PASS-THROUGH				VARIOUS 10,627.	VARIOUS
TOTAL GAIN(LOSS) .....						<u>153,092.</u>	

ATTACHMENT 1

FORM 990PF, PART I - INTEREST ON TEMPORARY CASH INVESTMENTS

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>
STATE STREET BANK INTEREST INCOME FROM K-1'S	54,747. 108,508.	54,747. 90,809.
TOTAL	<u>163,255.</u>	<u>145,556.</u>

ATTACHMENT 2

FORM 990PF, PART I - DIVIDENDS AND INTEREST FROM SECURITIES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>
J.Z. EQUITY PARTNERS	6,434.	6,434.
STATE STREET BANK	121.	121.
DIVIDENDS FROM K-1'S	36,657.	36,310.
LEUCADIA NATIONAL CORPORATION	52,053.	52,053.
TOTAL	<u>95,265.</u>	<u>94,918.</u>

ATTACHMENT 3

FORM 990PF, PART I - OTHER INCOME

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
ORDINARY LOSS FROM RCG KENNEDY HOUSE	-240.	-240.
ORDINARY LOSS FROM PROSPECTOR SUMMIT	-24,129.	-24,129.
ORDINARY LOSS FROM CENTERBRIDGE PARTNERS	-10.	-10.
ORDINARY LOSS FROM CENTERBRIDGE CPS	-2,886.	-2,886.
ORDINARY LOSS FROM CENTERBRIDGE AIV	-118.	-118.
ORDINARY GAIN FROM CENTERBRIDGE AIV II	15,259.	-1,269.
ORDINARY LOSS FROM CENTERBRIDGE AIV III	-1,945.	-998.
ORDINARY LOSS FROM CENTERBRIDGE CPS DEBT	-564.	-564.
ORDINARY LOSS FROM RA CAPITAL BIOTECH	-46,665.	-46,665.
ORDINARY LOSS FROM CENTERBRIDGE AIV V	-6,270.	-3,506.
RENTAL LOSS FROM RCG KENNEDY HOUSE	-10,552.	-10,552.
RENTAL GAIN FROM CENTERBRIDGE AIV II	5.	0.
ROYALTY INCOME FROM PROSPECTOR SUMMIT	177.	177.
BOOK - TAX DIFFERENCES FROM PASS-THROUGH	568,358.	0.
MISCELLANEOUS	193.	
<b>TOTALS</b>	<u>490,613.</u>	<u>-90,760.</u>

ATTACHMENT 4

FORM 990PF, PART I - LEGAL FEES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>	<u>ADJUSTED NET INCOME</u>	<u>CHARITABLE PURPOSES</u>
LEGAL FEES	5,537.	2,215.		3,322.
TOTALS	<u>5,537.</u>	<u>2,215.</u>	<u>0.</u>	<u>3,322.</u>

ATTACHMENT 5

FORM 990PF, PART I - ACCOUNTING FEES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>	<u>ADJUSTED NET INCOME</u>	<u>CHARITABLE PURPOSES</u>
PROFESSIONAL SERVICES	24,688.	9,875.		14,813.
FILING FEES	25.	10.		15.
TOTALS	<u>24,713.</u>	<u>9,885.</u>	<u>0.</u>	<u>14,828.</u>

ATTACHMENT 6

FORM 990PF, PART I - OTHER PROFESSIONAL FEES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>	<u>CHARITABLE PURPOSES</u>
PROFESSIONAL FEES	36,792.	14,717.	22,075.
TOTALS	<u>36,792.</u>	<u>14,717.</u>	<u>22,075.</u>

FORM 990PF, PART I - TAXES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>
EXCISE TAXES	-78,772.
TOTALS	<u>-78,772.</u>

ATTACHMENT 8

FORM 990PF, PART I - OTHER EXPENSES

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	CHARITABLE PURPOSES
MEALS AND ENTERTAINMENT	6,588.		6,588.
MISCELLANEOUS	846.	338.	508.
BANK FEES	87.	35.	52.
SUPPLIES	-637.	-255.	-382.
UTILITIES	988.	395.	593.
CUSTODY AND ASSET MANAGEMENT	3,323.	1,329.	1,994.
TREE FARM MAINTENANCE	5,908.	2,363.	3,545.
<b>TOTALS</b>	<u>17,103.</u>	<u>4,205.</u>	<u>12,898.</u>

ATTACHMENT 9

FORM 990PF, PART II - CORPORATE STOCK

<u>DESCRIPTION</u>	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
LEUCADIA NATIONAL STOCK	9,070,049.	6,075,568.
HOMEFED STOCK	10,798,193.	3,756,794.
TOTALS	<u>19,868,242.</u>	<u>9,832,362.</u>

ATTACHMENT 10

FORM 990PF, PART II - CORPORATE BONDS

<u>DESCRIPTION</u>	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
SAW CORPORATE BONDS - MISC.	711,808.	735,370.
TOTALS	<u>711,808.</u>	<u>735,370.</u>

ATTACHMENT 11

FORM 990PF, PART II - OTHER INVESTMENTS

<u>DESCRIPTION</u>	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
RAMIUS FUND LTD	251,936.	201,057.
RAMIUS HALIFAX OVERSEAS FUND	266,667.	212,813.
JZ EQUITY PARTNERS PLC	500,000.	174,971.
PENTA JAPAN FUND	333,333.	1,121,407.
SAW EQUITIES	4,040.	6,180.
RCG KENNEDY HOUSE, LLC	116,408.	128,384.
RA CAPITAL BIOTECH FUND, LP	1,136,450.	1,136,450.
PROSPECTOR SUMMIT FUND, LLP	2,493,509.	2,493,506.
CENTERBRIDGE CAPITAL PARTNERS	1,186,336.	1,187,276.
TOTALS	<u>6,288,679.</u>	<u>6,662,044.</u>

ATTACHMENT 12

FORM 990PF, PART III - OTHER DECREASES IN NET WORTH OR FUND BALANCES

<u>DESCRIPTION</u>	<u>AMOUNT</u>
PRIOR PERIOD ADJUSTMENT - NO TAX EFFECT	112.
TOTAL	<u>112.</u>

CUMMING FOUNDATION

87-0440091

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEES

ATTACHMENT 13

NAME AND ADDRESS	TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION	COMPENSATION	CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS	EXPENSE ACCT AND OTHER ALLOWANCES
IAN M. CUMMING 165 HUCKLEBERRY DRIVE JACKSON, WY 83001	PRES/TTE 5.00	0.	0.	0.
ANNETTE P. CUMMING 165 HUCKLEBERRY DRIVE JACKSON, WY 83001	VP/TTE/EXD 10.00	0.	0.	0.
CATHY MCNAB 529 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84102	SEC/TREAS 2.00	0.	0.	0.
JOHN D. CUMMING 529 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84102	TRUSTEE 1.00	0.	0.	0.
DAVID E. CUMMING 529 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84102	TRUSTEE 1.00	0.	0.	0.
STEPHEN D. SWINDLE VANCOTT BAGLEY CORNWALL 50 SOUTH MAIN ST, STE 1600 SALT LAKE CITY, UT 84144	TRUSTEE 2.00	0.	0.	0.
GRAND TOTALS		0.	0.	0.

FORM 990PF, PART XV - NAME, ADDRESS AND PHONE FOR APPLICATIONS

IAN M. CUMMING  
165 HUCKLEBERRY DR.  
JACKSON, WY 83001  
801-524-1786

**Cumming Foundation  
Donations  
For the period 01/01/2010 - 12/31/2010**

Trans 01/01/2010 - 12/31/2010

**Non-Discretionary/Pledges**

Date	Donee	Address	Status	Relationship (if any)	Purpose	Amount
01/15/10	The Cobly School	3770 N. Highway 224, Park City, UT 84060	509(a)(1)	N/A	Cash	83,333.00
01/28/10	Rowland Hall	720 Guardsman Way, SLC, UT 84108	509(a)(1)	N/A	Cash	8,333.00
01/28/10	TNC of Utah	559 E. South Temple, SLC, UT 84102	509(a)(2)	N/A	Cash	83,333.00
01/28/10	US Ski & Snowboard Association	PO Box 100, Park City, UT 84060	509(a)(2)	N/A	Team Vancouver/Inner Circle	83,333.00
01/28/10	US Ski & Snowboard Team Fdn	PO Box 100, Park City, UT 84060	509(a)(2)	N/A	Legacy/Campaign	66,667.00
03/16/10	University of Utah - College of Nursing	10 South 2000 East, SLC, UT 84112	509(a)(1)	N/A	Cash	333,333.00
12/08/10	Harvard Business School	230 Western Avenue, Boston MA, 02163	509(a)(3)	N/A	Cash	1,000,000.00
						\$ 1,658,333.00

Total Non-Discretionary/Pledges

**Discretionary Pledges**

Date	Donee	Address	Status	Relationship (if any)	Purpose	Amount
01/19/10	Grand Teton Park Foundation	25 S. Willow, Suite 10, Jackson WY 83001	509(a)(2)	N/A	Cash	5,000.00
02/28/10	Forthcoming Fund Gift	PO Box 4902, Jackson WY 83001	4945(g)(3)	N/A	Cash	50,000.00
03/05/10	U of U Dept of Surgery	50 North Medical Drive SLC UT, 84132	509(a)(1)	N/A	Cash	50,000.00
04/12/10	St. Baldrick's	1333 S Mayflower Ave Ste 400, Monrovia CA, 91016	509(a)(1)	N/A	Cash	200.00
05/07/10	Rocky Mtn. Innocence Center	358 South 700 East, 8235, SLC UT, 84102	509(a)(1)	N/A	Annual Exhibition Circle Membership	10,000.00
05/07/10	National Gallery of Art	2000C South Club Drive Landover MD, 20785	509(a)(2)	N/A	Cash	19,000.00
05/07/10	SLC Film Center	122 South Main Street, SLC UT, 84101	509(a)(1)	N/A	Cash	10,000.00
05/12/10	Grand Teton Music Festival	4015 W. Lake Creek Dr. #1 Wilson, WY 83014	509(a)(2)	N/A	Cash	3,800.00
05/12/10	National Trust/Historical Preservation	1785 Massachusetts Ave NW, Washington DC, 20036	509(a)(1)	N/A	Cash	10,000.00
05/24/10	Jazz at Lincoln Center	33 West 60th St, New York NY, 10023	509(a)(1)	N/A	An Evening of Blues	2,500.00
06/07/10	American Jewish Historical Society	15 West 16th Street, New York, NY 10011	509(a)(1)	N/A	Cash	5,000.00
06/09/10	Dancer's Workshop	PO Box 1500, Jackson, WY 83001	509(a)(2)	N/A	Cash	25,000.00
06/30/10	Forthcoming Fund Gift	PO Box 4902, Jackson WY 83001	4945(g)(3)	N/A	Cash	50,000.00
06/30/10	St. Jude's	PO Box 1000, Dept 142, Memphis, TN 38148	509(a)(1)	N/A	In Memory of Dorothy Orlando	2,000.00
07/21/10	Park City Day School	3120 Pinebrook Road, Park City UT, 34098	509(a)(1)	N/A	Cash	30,000.00
08/05/10	Frank Collins Caddle - Maidstone Club	PO Box 5110, East Hampton, NY 11937	509(a)(2)	N/A	Cash	500.00
08/23/10	Grand Teton Park Foundation - Grizzly Collars	PO Box 249, Moose WY, 83012	509(a)(2)	N/A	Grizzly Collars	5,000.00
08/26/10	The Ocean Energy Research	91 Camden Street, Suite #601, Rockland, ME 04841	Public Charity	N/A	Cash	10,000.00
09/08/10	East Hampton Healthcare Foundation	200 Pantigo Place, Suite M, East Hampton, NY 11937	509(a)(1)	N/A	Cash	10,000.00
09/08/10	Community Foundation of Jackson Hole	PO Box 574, Jackson WY, 83001	509(a)(1)	N/A	Cash	25,000.00
09/08/10	John Moran Eye Center	65 Mario Capecchi Dr, SLC UT, 84132	509(a)(1)	N/A	Old Bills Fun Run	10,000.00
11/24/10	High Road for Human Rights	438 East 200 South, SLC UT, 84111	509(a)(2)	N/A	Geoff Tabin Eye Research	10,000.00
11/30/10	Southern Poverty Law Center	400 Washington Avenue, Montgomery AL, 36104	509(a)(1)	N/A	Cash	2,500.00
12/16/10	Red Butte Garden	285 Conner Street, SLC UT, 84113	509(a)(1)	N/A	Cash	1,000.00
12/20/10	Planned Parenthood Federation	434 West 33rd St, New York NY, 10001	509(a)(1)	N/A	Cash	5,000.00
12/21/10	TNC of Wyoming	258 Main Street, Ste 200, Lander WY, 82520	509(a)(2)	N/A	Cash	10,000.00
12/22/10	Franklin & Eleanor Roosevelt Institute	147 West 35th Street Ste 601, New York NY, 10000	509(a)(1)	N/A	Cash	1,000.00
						\$ 362,500.00

Total Discretionary Pledges

**In Kind Donations**

Date	Donee	Address	Status	Relationship (if any)	Purpose	Amount
02/10/10	U of U Dept of Philosophy	255 Central Campus Dr, Room 2100 SLC, UT 84112	509(a)(2)	N/A	Semester Fees	6,072.00
02/28/10	ETIMS Study	Med Univ Innsbruck, Anichstrasse 35m A 6020 Innsbruck	Public Charity	N/A	MS Study	78,710.00
05/05/10	Garden Club of FH	Box 879, East Hampton, NY 11937	509(a)(2)	N/A	2 Tickets	240.00
07/24/10	Perلمان Foundation Event	Various Addresses	509(a)(1)	N/A	Various Vendors	97,635.00
11/10/10	California State Library	PO Box 84287, Sacramento, CA 94237	509(a)(1)	N/A	Wine	453.00
12/14/10	NAWM	Various Addresses	Public Charity	CF Event	Travel & Hotel	9,349.00
						\$ 192,459.00
						\$ 2,213,292.00

Total In Kind Donations

Donations 01/01/2010 - 12/31/2010

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

▶ **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
  - 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

**Electronic filing (e-file).** You can electronically file Form 8868 if you need a 3-month automatic extension of time to file (6 months for a corporation required to file Form 990-T), or an additional (not automatic) 3-month extension of time. You can electronically file Form 8868 to request an extension of time to file any of the forms listed in Part I or Part II with the exception of Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts, which must be sent to the IRS in paper format (see instructions). 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*

**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

<b>Type or print</b>  File by the due date for filing your return. See instructions	Name of exempt organization <b>CUMMING FOUNDATION</b>	Employer identification number <b>87-0440091</b>
	Number, street, and room or suite no. If a P O box, see instructions <b>165 HUCKLEBERRY DRIVE</b>	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions <b>JACKSON, WY 83001</b>	

Enter the Return code for the return that this application is for (file a separate application for each return)  04

Application Is For	Return Code	Application Is For	Return Code
Form 990	01	Form 990-T (corporation)	07
Form 990-BL	02	Form 1041-A	08
Form 990-EZ	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

- The books are in the care of ▶ CATHY MCNAB
- Telephone No ▶ 307 734-0708 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) \_\_\_\_\_ 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 is for

- 1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until 08/15, 2011, to file the exempt organization return for the organization named above. The extension is for the organization's return for
  - ▶  calendar year 2010 or
  - ▶  tax year beginning \_\_\_\_\_, 20\_\_\_\_, and ending \_\_\_\_\_, 20\_\_\_\_
- 2 If the tax year entered in line 1 is for less than 12 months, check reason  Initial return  Final return  Change in accounting period

3a 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>	\$	5,000.
3b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit	<b>3b</b>	\$	50,000.
3c <b>Balance Due.</b> Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions	<b>3c</b>	\$	0.

**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 Paperwork Reduction Act Notice, see Instructions.

• If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** and check this box  **X**

**Note.** Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868

• If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** (on page 1)

**Part II Additional (Not Automatic) 3-Month Extension of Time. Only file the original (no copies needed)**

<b>Type or print</b> File by the extended due date for filing your return See instructions	Name of exempt organization CUMMING FOUNDATION	Employer identification number 87-0440091
	Number, street, and room or suite no. If a P O box, see instructions 165 HUCKLEBERRY DRIVE	
	City, town or post office, state, and ZIP code For a foreign address, see instructions JACKSON, WY 83001	

Enter the Return code for the return that this application is for (file a separate application for each return)

Application Is For	Return Code	Application Is For	Return Code
Form 990	01		
Form 990-BL	02	Form 1041-A	08
Form 990-EZ	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

**STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.**

• The books are in the care of  CATHY MCNAB  
 Telephone No  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)  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 is for

4 I request an additional 3-month extension of time until 11/15, 2011

5 For calendar year 2010, or other tax year beginning     , 20    , and ending     , 20    

6 If the tax year entered in line 5 is for less than 12 months, check reason  Initial return  Final return  
 Change-in accounting period

7 State in detail why you need the extension  
ADDITIONAL TIME IS NEEDED TO COLLECT ALL THE INFORMATION NECESSARY TO FILE A COMPLETE AND ACCURATE RETURN.

8a 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	8a \$	2,000.
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868	8b \$	50,000.
c <b>Balance Due.</b> Subtract line 8b from line 8a Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System) See instructions	8c \$	0.

**Signature and Verification**

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form

Signature  Title  Date