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Form 990-PF

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

OMB No 1545-0052

2010

Department of the Treasury
Internal Revenue Service

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

For calendar year 2010, or tax year beginning 10-01-2010 , and ending 09-30-2011

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
LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

A Employer identification number
48-0916752

Number and street (or P O box number if mail is not delivered to street address)
1008 CODY AVENUE BOX 550

Room/suite

B Telephone number (see page 10 of the instructions)
(785) 625-8327

City or town, state, and ZIP code
HAYS, KS 67601

C If exemption application is pending, check here ☐

D 1. Foreign organizations, check here ☐

2. Foreign organizations meeting the 85% test, check here and attach computation ☐

E If private foundation status was terminated under section 507(b)(1)(A), check here ☐

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

H Check type of organization ☒ Section 501(c)(3) exempt private foundation

☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

I Fair market value of all assets at end of year (from Part II, col. (c), line 16) \$ 7,505,113

J Accounting method ☒ Cash ☐ Accrual ☐ Other (specify)
(Part I, column (d) must be on cash basis.)

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc , received (attach schedule)				
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments	45,903	45,903		
	4 Dividends and interest from securities.	170,526	170,526		
	5a Gross rents	11,940	11,940		
	b Net rental income or (loss) 8,000				
	6a Net gain or (loss) from sale of assets not on line 10	312,128			
	b Gross sales price for all assets on line 6a 2,743,449				
	7 Capital gain net income (from Part IV , line 2)		312,128		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
Operating and Administrative Expenses	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)	34,946	34,946		
	12 Total. Add lines 1 through 11	575,443	575,443		
	13 Compensation of officers, directors, trustees, etc				
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule).				
	b Accounting fees (attach schedule).	4,781	4,781		
	c Other professional fees (attach schedule)	24,143	24,143		
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	3,305	373		
	19 Depreciation (attach schedule) and depletion . . .	13,483	13,483		
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule).	3,940	3,940		
	24 Total operating and administrative expenses.				
	Add lines 13 through 23	49,652	46,720		0
	25 Contributions, gifts, grants paid	522,500			522,500
	26 Total expenses and disbursements. Add lines 24 and 25	572,152	46,720		522,500
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	3,291			
	b Net investment income (if negative, enter -0-)		528,723		
	c Adjusted net income (if negative, enter -0-)				

For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions.

Cat No 11289X

Form 990-PF (2010)

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	4		
	2	Savings and temporary cash investments	856,873	455,094	455,094
	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 15 of the instructions)			
	7	Other notes and loans receivable (attach schedule) ▶ 647,735 Less allowance for doubtful accounts ▶ _____	771,965	647,735	647,735
	8	Inventories for sale or use			
	9	Prepaid expenses and deferred charges			
	10a	Investments—U S and state government obligations (attach schedule)			
	b	Investments—corporate stock (attach schedule)	1,772,707	2,190,327	2,245,876
	c	Investments—corporate bonds (attach schedule).			
	11	Investments—land, buildings, and equipment basis ▶ 732,519 Less accumulated depreciation (attach schedule) ▶ _____	732,519	732,519	732,519
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)	2,654,486	2,779,653	2,545,770
	14	Land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
15	Other assets (describe ▶ _____)	893,455	879,972	878,119	
16	Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	7,682,009	7,685,300	7,505,113	
Liabilities	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe ▶ _____)			
	23	Total liabilities (add lines 17 through 22)		0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.				
	24	Unrestricted			
	25	Temporarily restricted			
	26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒ and complete lines 27 through 31.				
	27	Capital stock, trust principal, or current funds			
	28	Paid-in or capital surplus, or land, bldg , and equipment fund			
	29	Retained earnings, accumulated income, endowment, or other funds	7,682,009	7,685,300	
	30	Total net assets or fund balances (see page 17 of the instructions)	7,682,009	7,685,300	
	31	Total liabilities and net assets/fund balances (see page 17 of the instructions)	7,682,009	7,685,300	

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 7,682,009
2	Enter amount from Part I, line 27a	2 3,291
3	Other increases not included in line 2 (itemize) ▶ _____	3
4	Add lines 1, 2, and 3	4 7,685,300
5	Decreases not included in line 2 (itemize) ▶ _____	5
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30	6 7,685,300

Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)		(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
1a	See Additional Data Table			
b				
c				
d				
e				

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a	See Additional Data Table		
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(I) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a	See Additional Data Table		
b			
c			
d			
e			

2	Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	312,128
3	Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8		3	31,959

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	452,716	7,731,685	0 05855
2008	293,392	4,580,971	0 06405
2007	282,226	5,209,265	0 05418
2006	286,868	5,380,779	0 05331
2005	257,335	5,023,116	0 05123

2	Total of line 1, column (d).	2	0 28132
3	Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0 05626
4	Enter the net value of noncharitable-use assets for 2010 from Part X, line 5.	4	8,111,636
5	Multiply line 4 by line 3.	5	456,393
6	Enter 1% of net investment income (1% of Part I, line 27b).	6	5,287
7	Add lines 5 and 6.	7	461,680
8	Enter qualifying distributions from Part XII, line 4.	8	522,500

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions on page 18

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)		
1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary—see instructions)		
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b		15,287
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.		315,287
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-		515,287
6 Credits/Payments		
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a2,320	
b Exempt foreign organizations—tax withheld at source	6b	
c Tax paid with application for extension of time to file (Form 8868)	6c	
d Backup withholding erroneously withheld	6d	
7 Total credits and payments Add lines 6a through 6d.		72,320
8 Enter any penalty for underpayment of estimated tax Check here ☐ if Form 2220 is attached		8
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		92,967
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid.		10
11 Enter the amount of line 10 to be Credited to 2011 estimated tax ☐ 0 Refunded ☒		11

Part VII-A Statements Regarding Activities			
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		1a	No
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.		1b	No
c Did the foundation file Form 1120-POL for this year?.		1c	No
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ☒ \$ (2) On foundation managers ☒ \$			
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☒ \$			
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		2	No
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	No
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?.		4a	No
b If "Yes," has it filed a tax return on Form 990-T for this year?.		4b	No
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		5	No
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	Yes
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	Yes
8a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ☒ KS			
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation .		8b	Yes
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 2010 or the taxable year beginning in 2010 (see instructions for Part XIV on page 27)? If "Yes," complete Part XIV		9	No
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		10	No

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		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address N/A	13	Yes	
14	The books are in care of JOSEPH A HESS Telephone no (785) 625-8327 Located at 1008 CODY AVENUE HAYS KS ZIP+4 67601			
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	
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		No
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.			Yes	No
1a	During the year did the foundation (either directly or indirectly) (1) Engage in the sale or exchange, or leasing of property with a disqualified person? (2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? (4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? (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)? (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).			
b	If any answer is "Yes" to 1a(1)–(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.	1b		No
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		No
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? If "Yes," list the years 20 , 20 , 20 , 20			
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see page 20 of the instructions).	2b		No
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here 20 , 20 , 20 , 20			
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?			
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		No
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		No
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		No

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a

During the year did the foundation pay or incur any amount to

(1)

Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

Yes

No

(2)

Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

Yes

No

(3)

Provide a grant to an individual for travel, study, or other similar purposes?

Yes

No

(4)

Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions).

Yes

No

(5)

Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

Yes

No

b

If any answer is "Yes" to 5a(1)–(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.

No

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? If "Yes," attach the statement required by Regulations section 53.4945–5(d).

Yes

No

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

No

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?

No

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
DENNIS L BIEKER	Trustee	0		
111 WEST 13TH STREET HAYS, KS 67601	1 00			
JOSEPH A HESS	Trustee	0		
2918 HILLCREST HAYS, KS 67601	1 00			

2

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

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

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

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.		

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 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	
2	
All other program-related investments. See page 24 of the instructions.	
3	
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	5,041,919
b	Average of monthly cash balances.	1b	385,897
c	Fair market value of all other assets (see page 24 of the instructions).	1c	2,807,347
d	Total (add lines 1a, b, and c).	1d	8,235,163
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation).	1e	0
2	Acquisition indebtedness applicable to line 1 assets.	2	
3	Subtract line 2 from line 1d.	3	8,235,163
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	123,527
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	8,111,636
6	Minimum investment return. Enter 5% of line 5.	6	405,582

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	405,582
2a	Tax on investment income for 2010 from Part VI, line 5.	2a	5,287
b	Income tax for 2010 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	5,287
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	400,295
4	Recoveries of amounts treated as qualifying distributions.	4	
5	Add lines 3 and 4.	5	400,295
6	Deduction from distributable amount (see page 25 of the instructions).	6	
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	400,295

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	522,500
b	Program-related investments—total from Part IX-B.	1b	
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes.	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	
b	Cash distribution test (attach the required schedule).	3b	
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	522,500
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	5,287
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	517,213
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				400,295
2	Undistributed income, if any, as of the end of 2010				
a	Enter amount for 2009 only.				
b	Total for prior years 20____, 20____, 20____				
3	Excess distributions carryover, if any, to 2010				
a	From 2005.				11,509
b	From 2006.				24,093
c	From 2007.				28,311
d	From 2008.				67,559
e	From 2009.				70,700
f	Total of lines 3a through e.	202,172			
4	Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ 522,500				
a	Applied to 2009, but not more than line 2a				
b	Applied to undistributed income of prior years (Election required—see page 26 of the instructions)				
c	Treated as distributions out of corpus (Election required—see page 26 of the instructions). . .	0			
d	Applied to 2010 distributable amount.				400,295
e	Remaining amount distributed out of corpus	122,205			
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	324,377			
b	Prior years' undistributed income Subtract line 4b from line 2b.				
c	Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.				
d	Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions . . .				
e	Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions				
f	Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011				0
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).	11,509			
9	Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	312,868			
10	Analysis of line 9				
a	Excess from 2006.				24,093
b	Excess from 2007.				28,311
c	Excess from 2008.				67,559
d	Excess from 2009.				70,700
e	Excess from 2010.				122,205

Part XIV

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

1a

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 organization is a private operating foundation described in section 4942(j)(3) or 4942(j)(5)

☐ 4942(j)(3) or ☐ 4942(j)(5)

2a

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) 2010	(b) 2009	(c) 2008	(d) 2007		
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 organization had \$5,000 or more in assets at any time during the year—see page 27 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))

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

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

MR JOSEPH A HESS TRUSTEE
PO BOX 550
HAYS, KS 67601
(785) 625-8327

b

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

THE APPLICATION SHOULD INCLUDE THE NAME OF THE APPLICANT WHO IS REQUESTING THE GRANT OR CONTRIBUTION AND THE PURPOSE OF THE CONTRIBUTION

c

Any submission deadlines

NO SUBMISSION DEADLINES EXIST

d

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

PRIORITY IS GIVEN TO APPICANTS FROM THE ELLIS COUNTY, KANSAS AREA

Form 990-PF (2010)

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

Form **990-PF** (2010)

Enter gross amounts unless otherwise indicated

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

Form **990-PF** (2010)

Part XVII

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

1

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

a

Transfers from the reporting foundation to a noncharitable exempt organization of

1

Cash.

2

Other assets.

b

Other transactions

1

Sales of assets to a noncharitable exempt organization.

2

Purchases of assets from a noncharitable exempt organization.

3

Rental of facilities, equipment, or other assets.

4

Reimbursement arrangements.

5

Loans or loan guarantees.

6

Performance of services or membership or fundraising solicitations.

c

Sharing of facilities, equipment, mailing lists, other assets, or paid employees.

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.

Yes

No

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

2a

Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527?

Yes

No

b

If "Yes," complete the following schedule.

(a) Name of organization	(b) Type of organization	(c) Description of relationship
--------------------------	--------------------------	---------------------------------

Sign Here

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

2011-12-07

Signature of officer or trustee

Date

Title

Paid Preparer's Use Only

Preparer's Signature

Kathryn J Mitchell

Date

Check if self-employed

PTIN

Firm's name

Brungardt Hower

Firm's EIN

Firm's address

Ward Elliott Pferfer LC

Phone no

PO Box Hays, KS 67601

(785) 628-8238

Form 990-PF (2010)

Additional Data

Software ID: 10000105

Software Version: 2010v3.2

EIN: 48-0916752

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns a - d

(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)
A				
B	Capital Gain Dividends			
C	971 SHS RESEARCH IN MOTION	P	2009-07-31	2011-08-17
D	1,832 SHS KROGER COMPANY	P	2010-01-22	2011-08-17
E	702 SHS DEVRY INC	P	2010-01-22	2011-08-17
F	656 SHS THE BUCKLE	P	2010-01-22	2011-08-17
G	18 OPTIONS EXPIRED - SPY	P	2010-12-31	2011-06-18
H	0 5 SHS CASH IN LIEU - CITIGROUP	P	2011-05-06	2011-05-06
I	1,752 SHS SAFEWAY INC	P	2010-01-22	2011-02-01
J	1,488 SHS ORACLE	P	2009-07-31	2011-02-01
K	656 SHS THE BUCKLE	P	2010-01-22	2011-02-01
L	25 OPTIONS EXPIRED - SPY	P	2010-08-24	2010-12-18
M	2,645 SHS ULTRA BASIC MATERIALS	P	2009-07-15	2010-11-02
N	262 SHS PUBLIC STORAGE INC REIT	P	2009-08-04	2010-10-20
O	786 SHS HCP INC	P	2009-08-04	2010-10-20
P	1,450 SHS BERKSHIRE HATHAWAY SERIES B	P	2009-08-03	2010-10-20
Q	830 SHS CHUBB CORP	P	2010-01-22	2010-10-20
R	833 SHS ACE LIMITED	P	2010-01-22	2010-10-20
S	29,897 720 SHS THORNBURG INVT TR INVT INC BLDG	P	2008-08-21	2011-04-14
T	1,688 350 SHS THORNBURG INVT TR INVT INC BLDG	P	2010-06-29	2011-04-14
U	4,940 711 SHS CAPITAL INCOME BUILDER	P	2001-05-31	2011-03-24
V	9,585 890 SHS AMERICAN MUTUAL FD	P	2011-02-01	2011-03-24
W	44,565 444 SHS INCOME FUND OF AMERICA	P	2001-05-31	2011-02-01
X	2,138 321 SHS INCOME FUND OF AMERICA	P	2010-03-22	2011-02-01
Y	15,289 391 SHS THORNBURG INCOME TR LTD TERM	P	2010-09-13	2011-02-01

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns e - h

(e) Gross sales price		(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
A				614
B				
C	25,687		64,738	-39,051
D	42,445		39,959	2,486
E	30,257		40,018	-9,761
F	24,082		19,997	4,085
G	5,444			5,444
H	22			22
I	36,488		39,827	-3,339
J	49,005		33,080	15,925
K	23,632		19,989	3,643
L	7,072			7,072
M	108,545		49,964	58,581
N	26,832		19,824	7,008
O	29,300		20,189	9,111
P	119,751		103,023	16,728
Q	48,305		39,940	8,365
R	50,154		39,992	10,162
S	589,873		472,634	117,239
T	33,311		31,166	2,145
U	250,000		228,934	21,066
V	250,000		249,904	96
W	756,721		680,887	75,834
X	36,309		33,910	2,399
Y	199,600		203,346	-3,746

Form 990PF Part IV - Capital Gains and Losses for Tax on Investment Income - Columns i - I

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				(I) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69		(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
A				
B				
C				-39,051
D				2,486
E				-9,761
F				4,085
G				5,444
H				22
I				-3,339
J				15,925
K				3,643
L				7,072
M				58,581
N				7,008
O				9,111
P				16,728
Q				8,365
R				10,162
S				117,239
T				2,145
U				21,066
V				96
W				75,834
X				2,399
Y				-3,746

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
CATHOLIC DIOCESE OF SALINA 103 NORTH NINTH STREET SALINA,KS 67401	NONE	501C3	TO AID IN GENERAL OPERATIONS	25,000
MARY ELIZABETH MATERNITY HOME 204 W 7TH ST HAYS,KS 67601	NONE	501C3	TO AID IN GENERAL OPERATIONS	7,500
THOMAS MORE PREP-MARIAN HIGH 1701 HALL STREET HAYS,KS 67601	NONE	501C3	PROPERTY RESTORATION	150,000
HAYS ARTS COUNCIL 112 EAST 11TH STREET HAYS,KS 67601	NONE	501C3	TO AID IN GENERAL OPERATIONS	10,000
HOLY FAMILY ELEMENTARY SCHOOL 1800 MILNER AVE HAYS,KS 67601	NONE	501C3	TO AID IN GENERAL OPERATIONS	100,000
HAYS MEDICAL CENTER FDN 2220 CANTERBURY DRIVE HAYS,KS 67601	NONE	501C3	TO PROVIDE SUPPORT FOR CANCER CENTER	50,000
THOMAS MORE PREP-MARIAN HIGH 1701 HALL STREET HAYS,KS 67601	NONE	501C3	TO AID IN GENERAL OPERATIONS	25,000
THOMAS MORE PREP-MARIAN HIGH 1701 HALL STREET HAYS,KS 67601	NONE	501c3	INSERVICE AND TUITION ASSISTANCE	155,000
Total ▶ 3a				522,500

TY 2010 Accounting Fees Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
BRUNGARDT HOWER FEES	4,781	4,781	0	0

TY 2010 Investments Corporate
Stock Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Name of Stock	End of Year Book Value	End of Year Fair Market Value
AT&T INC	64,970	63,343
KRAFT FOODS INC	25,060	26,696
VERIZON COMMUNICATIONS	50,000	51,704
UNILEVER PLC	50,070	51,651
SELECT SECTOR SPDR TR UTILITIES	49,972	50,934
SANOFI ADR	24,980	25,420
ROYAL BK CDA	29,983	25,923
PEPSI INC	49,926	47,354
MOLSON COORS BREWING CO	25,073	19,607
MERCK & CO	25,038	22,727
KIMBERLY CLARK CORP	24,207	26,629
HEWLETT PACKARD	24,994	13,245
EXXON MOBIL CORP	24,922	24,694
COLGATE PALMOLIVE	50,251	55,425
CLOROX COMPANY	25,055	26,333
CITIGROUP	15,030	8,043
CISCO SYSTEMS	50,046	37,247
CAMPBELL SOUP COMPANY	36,487	34,539
BANK OF AMERICA	15,064	6,916
ARCHER DANIELS-MIDLAND CO	40,002	35,081
AMERICAN EXPRESS COMPANY	25,083	26,491
PUT SPY OPTION		
SAFEWAY INC		
WAL-MART STORES INC	39,859	39,081
VIACOM INC	39,853	52,376
THE BUCKLE INC		
STRYKER CORP	39,843	34,688
KROGER COMPANY		
FISERV INC	51,012	56,558
DEVRY INC		

Name of Stock	End of Year Book Value	End of Year Fair Market Value
CVS CAREMARK CORP	40,061	40,241
CHUBB CORP		
ACE LIMITED		
ISHARES FTSE NAREIT INDUSTRIAL OFFICE	20,203	23,832
WISDOMTREE EMERGING ETF MARKETS SMALLCAP	90,122	87,294
VANGUARD SMALL CAP ETF	25,001	30,378
VANGUARD REIT ETF	20,184	27,826
VAGUARD DIVIDEND APPRECIATION ETF	75,124	88,694
VANGUARD CONSUMER STAPLE ETF	99,764	112,668
ULTRA BASIC MATERIALS PS		
SPDR DJ WILSHIRE INTLET REAL ESTATE	20,082	19,775
RESEARCH IN MOTION LTD		
PUBLIC STORAGE INC		
PROCTER & GAMBLE CO	50,269	56,862
POWERSHARES QQQ SERIES 1	49,971	69,549
ORACLE CORPORATION	36,975	45,639
MICROSOFT CORP	49,912	52,568
MCDONALDS CORP	50,160	79,828
JOHNSON & JOHNSON	50,064	52,226
INTEL CORP	75,148	80,092
ISHARES FTSE NAREIT RETAIL INDEX	20,045	28,600
ISHARES FTSE NAREIT REAL ESTATE 50	19,920	27,568
ISHARES DOW JONES US REAL ESTATE	19,981	26,347
ISHARES COHEN & STEER REALTY MAJORS	20,027	28,839
HEINZ CO	50,036	67,643
HCP INC		
BP PLC	49,962	36,611
FIRST TRUST GLOBAL REAL ESTATE INDEX	20,142	21,467
AMGEN INC	50,110	43,968
BERKSHIRE HATHAWAY INC	100,277	90,494

Name of Stock	End of Year Book Value	End of Year Fair Market Value
GENERAL ELECTRIC COMPANY	97,746	43,301
VANGUARD EMERGING MARKETS ETF	92,261	100,861

TY 2010 Investments - Land Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Category/ Item	Cost/Other Basis	Accumulated Depreciation	Book Value	End of Year Fair Market Value
Land	732,519		732,519	732,519

TY 2010 Investments - Other Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Category / Item	Listed at Cost or FMV	Book Value	End of Year Fair Market Value
AMERICAN MUTUAL FD INC	AT COST	554,116	499,123
AMERICAN FDS GLOBAL BALANCED	AT COST	503,700	458,642
THORNBURG INCOME TR LTD TERM INCOME FD	AT COST		
JOHN HANCOCK PFD INCOME FUND	AT COST	26,724	32,280
NEW WORLD FUND	AT COST	104,181	111,542
THORNBURG INC BUILDER	AT COST	639,504	561,062
AMERICAN GROWTH FUNDS	AT COST	133,270	118,756
PIONEER HIGH YIELD FUND	AT COST	332,347	274,896
INCOME FUND OF AMERICA	AT COST		
CAPITAL INCOME BUILDER	AT COST	256,405	258,516
COLE REAL ESTATE INVESTMENT TRUST	AT COST	229,406	230,953

TY 2010 Other Assets Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Description	Beginning of Year - Book Value	End of Year - Book Value	End of Year - Fair Market Value
NET INTANGIBLE ASSETS			31,459
Net Intangible Assets	44,942	31,459	
FLEXIBLE PREMIUM ANNUITIES	848,513	848,513	846,660

TY 2010 Other Expenses Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Description	Revenue and Expenses per Books	Net Invest ment Income	Adjusted Net Income	Disbursements for Charitable Purposes
Rental Expenses	3,940	3,940		

TY 2010 Other Income Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Description	Revenue And Expenses Per Books	Net Invest ment Income	Adjusted Net Income
OIL ROYALTIES	34,946	34,946	

TY 2010 Other Professional Fees Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
INVESTMENT FEES	24,143	24,143	0	0

TY 2010 Taxes Schedule

Name: LEO J DREILING & ALBINA DREILING
CHARITABLE TRUST

EIN: 48-0916752

Software ID: 10000105

Software Version: 2010v3.2

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
OIL ROYALTY SEVERENCE TAX	37	37		
FOREIGN TAXES WITHHELD	336	336		
EXCISE TAX	2,932			