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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

2012

Open to Public Inspection

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

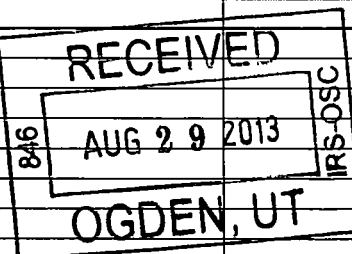
For calendar year 2012 or tax year beginning

, 2012, and ending

, 20

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 instructions) (307) 734-0708						
P.O. BOX 4902								
City or town, state, and ZIP code JACKSON, WY 83001		C If exemption application is pending, check here ☐						
G Check all that apply: <table border="0"> <tr> <td>☐ Initial return</td> <td>☐ Initial return of a former public charity</td> </tr> <tr> <td>☐ Final return</td> <td>☐ Amended return</td> </tr> <tr> <td>☒ Address change</td> <td>☐ Name change</td> </tr> </table>		☐ Initial return	☐ Initial return of a former public charity	☐ Final return	☐ Amended return	☒ Address change	☐ Name change	D 1 Foreign organizations, check here ☐ 2 Foreign organizations meeting the 85% test, check here and attach computation ☐
☐ Initial return	☐ Initial return of a former public charity							
☐ Final return	☐ Amended return							
☒ Address change	☐ Name change							
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) \$ 16,070,914.		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 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)		530,000.	ATCH 1		
2 Check ☐ if the foundation is not required to attach Sch B					
3 Interest on savings and temporary cash investments		130,136.	114,321.		ATCH 2
4 Dividends and interest from securities		94,270.	94,213.		ATCH 3
5a Gross rents					
b Net rental income or (loss)					
6a Net gain or (loss) from sale of assets not on line 10		524,041.			
b Gross sales price for all assets on line 6a		17,370.			
7 Capital gain net income (from Part IV, line 2)			503,107.		
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) ATCH 4		43,403.	-101,997.		
12 Total. Add lines 1 through 11		1,321,850.	609,644.		
13 Compensation of officers, directors, trustees, etc.		0			
14 Other employee salaries and wages		83,356.	33,343.		50,013.
15 Pension plans, employee benefits					
16a Legal fees (attach schedule) ATCH 5		2,546.	1,018.		1,528.
b Accounting fees (attach schedule) ATCH 6		9,359.	3,744.		5,615.
c Other professional fees (attach schedule) *		11,923.	4,769.		7,154.
17 Interest					
18 Taxes (attach schedule) (see instructions) ATCH 8		49,625.	1,280.		1,919.
19 Depreciation (attach schedule) and depletion					
20 Occupancy					
21 Travel, conferences, and meetings		14,786.	5,914.		8,872.
22 Printing and publications					
23 Other expenses (attach schedule) ATCH 9		12,342.	247.		12,095.
24 Total operating and administrative expenses. Add lines 13 through 23		183,937.	50,315.		87,196.
25 Contributions, gifts, grants paid		2,069,704.			2,069,704.
26 Total expenses and disbursements. Add lines 24 and 25		2,253,641.	50,315.	0	2,156,900.
27 Subtract line 26 from line 12		-931,791.			
a Excess of revenue over expenses and disbursements			559,329.		
b Net investment income (if negative, enter -0-)					
c Adjusted net income (if negative, enter -0-)					



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JSA For Paperwork Reduction Act Notice, see instructions.

*ATCH 7

Form 990-PF (2012)

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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		774,393.	500,164.	500,164.
	2	Savings and temporary cash investments		43,955.	652,897.	652,897.
	3	Accounts receivable ▶ 122,321.				
		Less allowance for doubtful accounts ▶		22,750.	122,321.	122,321.
	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 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) ATCH 10	19,086,867.	19,086,867.	8,925,311.	
	c	Investments - corporate bonds (attach schedule) ATCH 11	711,808.	1,382,516.	1,369,285.	
	11	Investments - land, buildings, and equipment basis				
	Less accumulated depreciation (attach schedule) ▶					
12	Investments - mortgage loans					
13	Investments - other (attach schedule) ATCH 12	6,190,613.	4,153,830.	4,500,936.		
14	Land, buildings, and equipment basis					
	Less accumulated depreciation (attach schedule) ▶					
15	Other assets (describe ▶)					
16	Total assets (to be completed by all filers - see the instructions. Also, see page 1, item I)	26,830,386.	25,898,595.	16,070,914.		
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	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	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	26,644,456.	25,712,665.		
	30	Total net assets or fund balances (see instructions)	26,830,386.	25,898,595.		
	31	Total liabilities and net assets/fund balances (see instructions)	26,830,386.	25,898,595.		

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	26,830,386.
2	Enter amount from Part I, line 27a	2	-931,791.
3	Other increases not included in line 2 (itemize) ▶	3	
4	Add lines 1, 2, and 3	4	25,898,595.
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	25,898,595.

Form **990-PF** (2012)

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 PART IV SCHEDULE					
b					
c					
d					
e					
(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)		
a					
b					
c					
d					
e					
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69					
(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))		
a					
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	503,107.	
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 instructions) If (loss), enter -0- in Part I, line 8			3	0	

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see 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))
2011	4,910,871.	17,753,746.	0.276610
2010	2,331,625.	17,270,805.	0.135004
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

2 Total of line 1, column (d)	2	0.640476
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	0.128095
4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 5	4	15,467,536.
5 Multiply line 4 by line 3	5	1,981,314.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	5,593.
7 Add lines 5 and 6	7	1,986,907.
8 Enter qualifying distributions from Part XII, line 4 If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions.	8	2,156,900.

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see 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)		1	5,593.
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b			
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b).			
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	
3 Add lines 1 and 2		3	5,593.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	0
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	5,593.
6 Credits/Payments			
a 2012 estimated tax payments and 2011 overpayment credited to 2012	6a	11,024.	
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c	1,000.	
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d	7	12,024.	
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	9		
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	6,431.	
11 Enter the amount of line 10 to be Credited to 2013 estimated tax ☒ 6,431. Refunded ☐	11	0	

Part VII-A Statements Regarding Activities

	Yes	No
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?		X
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see Instructions for the 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		X
c Did the foundation file Form 1120-POL for this year?	N/A	
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ☒ \$ 0 (2) On foundation managers ☒ \$ 0		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ☒ \$ 0		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?	X	
b If "Yes," has it filed a tax return on Form 990-T for this year?	X	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col (c), and Part XV	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☒ UT, WY,		
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	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2012 or the taxable year beginning in 2012 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

Form 990-PF (2012)

Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If "Yes," attach statement (see instructions)	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 HANDLEY 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 and enter the amount of tax-exempt interest received or accrued during the year ▶ 15			
16	At any time during calendar year 2012, 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? See the instructions for exceptions and filing requirements for Form TD F 90-22.1 If "Yes," enter the name of the foreign country ▶	16	Yes	No X

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? ☐ Yes ☒ No		
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No		
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No		
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ 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 ☒ 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 ☒ 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 instructions)? Organizations relying on a current notice regarding disaster assistance check here ▶ ☐	1b	N/A
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2012?	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 2012, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2012? ☐ Yes ☒ 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 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? ☒ Yes ☐ No		
b If "Yes," did it have excess business holdings in 2012 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 2012)	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 2012?	4b	X

Form 990-PF (2012)

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)**5a** During the year did the foundation pay or incur any amount to(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see instructions) ☐ Yes ☒ No(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No**b** If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)? ☐ Yes ☒ NoOrganizations relying on a current notice regarding disaster assistance check here ☐**c** If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? ☐ Yes ☒ No

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

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☒ No**b** Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? ☐ Yes ☒ No

If "Yes" to 6b, file Form 8870

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☒ No**b** If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? ☐ Yes ☒ 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 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
ATCH 13		0	0	0

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

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

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

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)**3 Five highest-paid independent contractors for professional services (see instructions). If none, enter "NONE."**

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		0

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 N/A

2

3

4

Part IX-B Summary of Program-Related Investments (see instructions)

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

Amount

1 NOT APPLICABLE

2

All other program-related investments See instructions

3 NONE

Total. Add lines 1 through 3 ▶

Form 990-PF (2012)

Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a	Average monthly fair market value of securities	1a	14,566,253.
b	Average of monthly cash balances	1b	1,014,508.
c	Fair market value of all other assets (see instructions)	1c	122,321.
d	Total (add lines 1a, b, and c)	1d	15,703,082.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	
2	Acquisition indebtedness applicable to line 1 assets	2	
3	Subtract line 2 from line 1d	3	15,703,082.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	235,546.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	15,467,536.
6	Minimum investment return. Enter 5% of line 5	6	773,377.

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part)

1	Minimum investment return from Part X, line 6	1	773,377.
2a	Tax on investment income for 2012 from Part VI, line 5	2a	5,593.
b	Income tax for 2012 (This does not include the tax from Part VI.)	2b	4,088.
c	Add lines 2a and 2b	2c	9,681.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	763,696.
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	763,696.
6	Deduction from distributable amount (see instructions)	6	
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	763,696.

Part XII Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	2,156,900.
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	2,156,900.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see instructions)	5	5,593.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	2,151,307.

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 instructions)

	(a) Corpus	(b) Years prior to 2011	(c) 2011	(d) 2012
1 Distributable amount for 2012 from Part XI, line 7				763,696.
2 Undistributed income, if any, as of the end of 2012				
a Enter amount for 2011 only				
b Total for prior years 20 10 20 09 20 08				
3 Excess distributions carryover, if any, to 2012				
a From 2007 2,043,478.				
b From 2008 784,641.				
c From 2009 805,427.				
d From 2010 1,472,621.				
e From 2011 4,039,136.				
f Total of lines 3a through e	9,145,303.			
4 Qualifying distributions for 2012 from Part XII, line 4 ▶ \$ 2,156,900.				
a Applied to 2011, but not more than line 2a				
b Applied to undistributed income of prior years (Election required - see instructions).				
c Treated as distributions out of corpus (Election required - see instructions).				
d Applied to 2012 distributable amount				763,696.
e Remaining amount distributed out of corpus	1,393,204.			
5 Excess distributions carryover applied to 2012 . (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	10,538,507.			
b Prior years' undistributed income. Subtract line 4b from line 2b				
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed				
d Subtract line 6c from line 6b Taxable amount - see instructions				
e Undistributed income for 2011 Subtract line 4a from line 2a. Taxable amount - see instructions				
f Undistributed income for 2012 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2013				
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions).				
8 Excess distributions carryover from 2007 not applied on line 5 or line 7 (see instructions)	2,043,478.			
9 Excess distributions carryover to 2013. Subtract lines 7 and 8 from line 6a	8,495,029.			
10 Analysis of line 9				
a Excess from 2008 784,641.				
b Excess from 2009 805,427.				
c Excess from 2010 1,472,621.				
d Excess from 2011 4,039,136.				
e Excess from 2012 1,393,204.				

Part XIV Private Operating Foundations (see instructions and Part VII-A, question 9)

NOT APPLICABLE

- 1a. If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2012, enter the date of the ruling

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

4942(1)(3) or

4942(1)(5)

- 2 a** Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed

- 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(c)(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 (i)(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 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 instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.

- a The name, address, and telephone number or e-mail of the person to whom applications should be addressed:

ATCH 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		If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)					
a Paid during the year SEE ATTACHMENT 15					2,069,704.
Total				► 3a	2,069,704.
b Approved for future payment					
Total				► 3b	

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated

Enter gross amounts unless otherwise indicated		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See instructions)
		(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1	Program service revenue					
a	_____					
b	_____					
c	_____					
d	_____					
e	_____					
f	_____					
g	Fees and contracts from government agencies					
2	Membership dues and assessments					
3	Interest on savings and temporary cash investments	523000	15,815.	14	114,321.	
4	Dividends and interest from securities	523000	57.	14	94,213.	
5	Net rental income or (loss) from real estate					
a	Debt-financed property					
b	Not debt-financed property					
6	Net rental income or (loss) from personal property .					
7	Other investment income	523000	-8,550.	14	572,185.	
8	Gain or (loss) from sales of assets other than inventory	523000	20,934.	18	-17,125.	
9	Net income or (loss) from special events . . .					
10	Gross profit or (loss) from sales of inventory . .					
11	Other revenue a _____					
b	_____					
c	_____					
d	_____					
e	_____					
12	Subtotal. Add columns (b), (d), and (e)		28,256.		763,594.	
13	Total. Add line 12, columns (b), (d), and (e)					

(See worksheet in line 13 instructions to verify calculations)

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

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

- | | | | |
|---|-------|-----|----|
| <p>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?</p> <p>a Transfers from the reporting foundation to a noncharitable exempt organization of:</p> <p>(1) Cash</p> <p>(2) Other assets</p> <p>b Other transactions</p> <p>(1) Sales of assets to a noncharitable exempt organization</p> <p>(2) Purchases of assets from a noncharitable exempt organization</p> <p>(3) Rental of facilities, equipment, or other assets</p> <p>(4) Reimbursement arrangements</p> <p>(5) Loans or loan guarantees</p> <p>(6) Performance of services or membership or fundraising solicitations</p> <p>c Sharing of facilities, equipment, mailing lists, other assets, or paid employees</p> <p>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.</p> | | Yes | No |
| | | | |
| | 1a(1) | | X |
| | 1a(2) | | X |
| | | | |
| | 1b(1) | | X |
| | 1b(2) | | X |
| | 1b(3) | | X |
| | 1b(4) | | X |
| | 1b(5) | | X |
| | 1b(6) | | X |
| | 1c | | X |

[illegible]

- 2a** Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No
- b** If "Yes," complete the following schedule.

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

**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) is based on all information of which preparer has any knowledge.

Signature of officer or trustee

Date _____

Title

May the IRS discuss this return with the preparer shown below (see instructions)? ☐ Yes ☒ No

**Paid
Preparer
Use Only**

Print/Type preparer's name

Kelli H. Archibald

Preparer's signature

Kelli H. Chubala

Date _____

08/13/2013

Check ☐ if self-employed

PTIN

P00180332

Firm's name ▶ ERNST & YOUNG U.S. LLP

Firm's address ► 2 NORTH CENTRAL, SUITE 2300
PHOENIX, AZ

Firm's EIN ► 34-6565596

Phone no 602-322-3000

Form **990-PF** (2012)

Schedule B
(Form 990, 990-EZ,
or 990-PF)
Department of the Treasury
Internal Revenue Service

Schedule of Contributors

OMB No 1545-0047

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

2012

Name of the organization

Employer identification number

CUMMING FOUNDATION

87-0440091

Organization type (check one):

Filers of:

Section:

Form 990 or 990-EZ

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

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

☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation

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

☐ 501(c)(3) taxable private foundation

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

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

General Rule

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

Special Rules

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

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

For Paperwork Reduction Act Notice, see the Instructions for Form 990, 990-EZ, or 990-PF

Schedule B (Form 990, 990-EZ, or 990-PF) (2012)

Name of organization CUMMING FOUNDATION

Employer identification number
87-0440091**Part I Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
1	IAN M. CUMMING P.O. BOX 4902 JACKSON, WY 83001	\$ 530,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)

Name of organization CUMMING FOUNDATION

Employer identification number

87-0440091

Part II Noncash Property (see instructions). Use duplicate copies of Part II if additional space is needed.

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
---	----- ----- ----- -----	\$-----	-----
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
---	----- ----- ----- -----	\$-----	-----
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
---	----- ----- ----- -----	\$-----	-----
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
---	----- ----- ----- -----	\$-----	-----
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
---	----- ----- ----- -----	\$-----	-----
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
---	----- ----- ----- -----	\$-----	-----
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
---	----- ----- ----- -----	\$-----	-----

Name of organization CUMMING FOUNDATION

Employer identification number

87-0440091

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

Use duplicate copies of Part III if additional space is needed.

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

CUMMING FOUNDATION

87-0440091

FORM 990PF, PART I - CONTRIBUTIONS, GIFTS AND GRANTS RECEIVED

ATTACHMENT 1

<u>NAME AND ADDRESS</u>	<u>DATE</u>	<u>DIRECT PUBLIC SUPPORT</u>
IAN M. CUMMING P.O. BOX 4902 JACKSON, WY 83001	06/25/2012	530,000.
TOTAL CONTRIBUTION AMOUNTS		<u>530,000.</u>

ATTACHMENT 2FORM 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	45,150.	45,150.
INTEREST INCOME FROM K-1'S	84,986.	69,171.
TOTAL	<u>130,136.</u>	<u>114,321.</u>

ATTACHMENT 3FORM 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	9,726.	9,726.
STATE STREET BANK	299.	299.
DIVIDENDS FROM K-1'S	38,442.	38,385.
LEUCADIA NATIONAL CORPORATION	45,803.	45,803.
TOTAL	<u>94,270.</u>	<u>94,213.</u>

ATTACHMENT 4FORM 990PF, PART I - OTHER INCOME

DESCRIPTION	REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME
ORDINARY LOSS FROM RCG KENNEDY HOUSE	-156.	-156.
ORDINARY LOSS FROM PROSPECTOR SUMMIT	-22,108.	-22,108.
ORDINARY LOSS FROM CENTERBRIDGE CPS	-1,288.	-1,288.
ORDINARY LOSS FROM CENTERBRIDGE AIV	-171.	-171.
ORDINARY LOSS FROM CENTERBRIDGE AIV II	-11,050.	-3,166.
ORDINARY LOSS FROM CENTERBRIDGE AIV III	2,262.	2,928.
ORDINARY LOSS FROM CENTERBRIDGE CPS DEBT	-2,524.	-2,524.
ORDINARY LOSS FROM RA CAPITAL BIOTECH	-67,063.	-67,063.
ORDINARY LOSS FROM CENTERBRIDGE AIV V	-3,728.	-3,728.
RENTAL LOSS FROM RCG KENNEDY HOUSE	-4,721.	-4,721.
BOOK - TAX DIFFERENCES FROM PASS-THROUGH	153,950.	
TOTALS	<u>43,403.</u>	<u>-101,997.</u>

ATTACHMENT 5

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	2,546.	1,018.		1,528.
TOTALS	<u>2,546.</u>	<u>1,018.</u>		<u>1,528.</u>

ATTACHMENT 6

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	9,359.	3,744.		5,615.
TOTALS	<u>9,359.</u>	<u>3,744.</u>		<u>5,615.</u>

ATTACHMENT 7

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	11,923.	4,769.	7,154.
TOTALS	<u>11,923.</u>	<u>4,769.</u>	<u>7,154.</u>

ATTACHMENT 8

FORM 990PF, PART I - TAXES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>	<u>CHARITABLE PURPOSES</u>
FEDERAL TAXES	46,426.	1,280.	1,919.
STATE TAXES	3,199.		
TOTALS	<u>49,625.</u>	<u>1,280.</u>	<u>1,919.</u>

ATTACHMENT 9FORM 990PF, PART I - OTHER EXPENSES

<u>DESCRIPTION</u>	<u>REVENUE AND EXPENSES PER BOOKS</u>	<u>NET INVESTMENT INCOME</u>	<u>CHARITABLE PURPOSES</u>
MEALS AND ENTERTAINMENT	1,318.		1,318.
MISCELLANEOUS	305.	122.	183.
BANK FEES	254.	102.	152.
SUPPLIES	17.	7.	10.
TREE FARM MAINTENANCE	15.	6.	9.
FILING FEES	25.	10.	15.
OTHER CHARITABLE EVENT EXP.	10,408.		10,408.
TOTALS	<u>12,342.</u>	<u>247.</u>	<u>12,095.</u>

FORM 990PF, PART II - CORPORATE STOCK

ATTACHMENT 10

<u>DESCRIPTION</u>	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
LEUCADIA NATIONAL STOCK	8,288,674.	4,358,566.
HOMEFED STOCK	10,798,193.	4,566,745.
TOTALS	<u>19,086,867.</u>	<u>8,925,311.</u>

ATTACHMENT 11

FORM 990PF, PART II - CORPORATE BONDS

<u>DESCRIPTION</u>	<u>ENDING</u>	<u>ENDING</u>
	<u>BOOK VALUE</u>	<u>FMV</u>
SAW CORPORATE BONDS - LEUCADIA	698,250.	686,613.
SAW CORPORATE BONDS	684,266.	682,672.
TOTALS	<u>1,382,516.</u>	<u>1,369,285.</u>

FORM 990PF, PART II - OTHER INVESTMENTSATTACHMENT 12

<u>DESCRIPTION</u>	<u>ENDING BOOK VALUE</u>	<u>ENDING FMV</u>
RAMIUS FUND LTD	251,936.	240,733.
RAMIUS HALIFAX OVERSEAS FUND	266,667.	675,703.
JZ EQUITY PARTNERS PLC	500,000.	215,016.
PENTA JAPAN FUND	333,333.	565,826.
SAW EQUITIES	4,037.	9,420.
RCG KENNEDY HOUSE, LLC	88,740.	85,121.
RA CAPITAL BIOTECH FUND, LP	1,703,590.	1,703,590.
CENTERBRIDGE CAPITAL PARTNERS	1,005,527.	1,005,527.
TOTALS	<u>4,153,830.</u>	<u>4,500,936.</u>

CUMMING FOUNDATION

87-0440091

FORM 990PF, PART VIII - LIST OF OFFICERS, DIRECTORS, AND TRUSTEESATTACHMENT 13

<u>NAME AND ADDRESS</u>	<u>TITLE AND AVERAGE HOURS PER WEEK DEVOTED TO POSITION</u>	<u>COMPENSATION</u>	<u>CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS</u>	<u>EXPENSE ACCT AND OTHER ALLOWANCES</u>
IAN M. CUMMING P.O. BOX 4902 JACKSON, WY 83001	PRES/TTE .50	0	0	0
ANNETTE P. CUMMING P.O. BOX 4902 JACKSON, WY 83001	VP/TTE/EXD .25	0	0	0
CATHY HANDLEY P.O. BOX 4902 JACKSON, WY 83001	SEC/TREAS 1.00	0	0	0
JOHN D. CUMMING 1115 WEST OLD RANCH ROAD PARK CITY, UT 84098	TRUSTEE .10	0	0	0
DAVID E. CUMMING P.O. BOX 570 OAKLEY, UT 84055	TRUSTEE .10	0	0	0
STEPHEN D. SWINDLE 36 SOUTH STATE STREET, SUITE 1900 SALT LAKE CITY, UT 84111	TRUSTEE .10	0	0	0
GRAND TOTALS		0	0	0

800111 6227

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ATTACHMENT 13

CUMMING FOUNDATION

87-0440091

ATTACHMENT 14

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

IAN M. CUMMING
P.O. BOX 4902
JACKSON, WY 83001
801-524-1786

Cumming Foundation
Donations
For the period 01/01/2012-12/31/2012
FEIN 87 0440091

Donations 01/01/2012-12/31/2012

Discretionary Pledges

Date	Recipient	Address	Status	Relationship (if any)	Purpose	Amount	EIN
01/07/12	US Ski and Snowboard Team Foundation	PO Box 100, Park City, UT 84060	509(a)(1)	N/A	To provide funding for the training, coaching, and competition costs of US Ski & Snowboard team athletes	\$ 47,750.00	84-6030639
01/07/12	ACLU American Civil Liberties Union Foundation	125 Broad Street, 18th Floor, New York, NY 10004 2400	509(a)(1)	N/A	Devoted to protecting the basic civil liberties of all people in the US	2,000.00	13-6213516
01/18/12	Hook Pond Associates	Wildlife Sanctuary, PO Box 5110, East Hampton, NY 11937	509(a)(1)	N/A	To preserve the wildlife sanctuary		23-7304877
01/26/12	Dancer's Workshop	PO Box 1500, Jackson, WY 83001	509(a)(1)	N/A	To enrich lives by offering excellence and diversity in dance experiences through education, performance and outreach for students and audiences of all ages		
02/01/12	Teton Raptor Center	PO Box 1805, Wilson, WY 83014	509(a)(1)	N/A	Helping birds of prey through education, conservation and rehabilitation	30,000.00	83 0232680
02/15/12	East Hampton Library	159 Main Street, East Hampton, NY 11937	509(a)(1)	N/A	To provide library services	5,000.00	83-0328068
03/08/12	The Conservation Law Center	116 South Indiana Ave, Suite 4, Bloomington, IN 47408	509(a)(1)	N/A	To advocate for natural resource conservation	5,000.00	11-1723811
03/08/12	Grand Teton Music Festival	4015 W Lake Creek Drive #1, Wilson, WY 83014	509(a)(2)	N/A	To provide music to residents and visitors of the Jackson Hole WY area	5,000.00	20-2321854
03/08/12	National Foundation for Transplants	Utah Transplant Fund, 5350 Poplar Ave, Suite 430, Memphis TN, 38119	509(a)(1)	N/A	Assists those needing a transplant to create futures with hope	3,700.00	23-7034152
03/09/12	Dancer's Workshop	PO Box 1500, Jackson, WY 83001	509(a)(1)	N/A	To enrich lives by offering excellence and diversity in dance experiences through education, performance and outreach for students and audiences of all ages	2,000.00	58-1527254
03/15/12	National Parks Conservation Association	PO Box 1173, 1160 Alpine Way Suite 2E, Jackson, WY 83001	509(a)(2)	N/A	To protect and enhance America's National Parks for current and future generations	15,000.00	83-0232680
03/15/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	10,000.00	53-0225165
03/20/12	Utah Film Center (Salt Lake City Film Center & Artists Collaborative)	122 South Main St, Salt Lake City, UT 84101	509(a)(1)	N/A	Brings the world of film to local audiences through free community screenings and discussions, outreach programs, and visiting artists and professionals	1,000.00	42-1597281
04/12/12	Fessenden School	250 Waltham Street, West Newton, MA 02465-1749	170(b)(1)(A)(ii)	N/A	To teach, nurture, and celebrate growing boys, cultivating each student's individual potential	10,000.00	75-3077559
04/02/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	1,000.00	04-2103574
						1,000.00	42-1597281

04/25/12	Gallery of Art: Circle Gallery of Art	20008 South Club Drive, Landover, MD 20785	170(b)(1)(A)(v)	N/A	To serve the United States of America in a national role by preserving, collecting, exhibiting and fostering the understanding of works of art, at the highest possible museum and scholarly standards	53-6001666
05/01/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	1,000 00 42-1597281
05/24/12	Hirschfield Center for Children (Teton Youth & Family Services)	PO Box 2631, Jackson, WY 83001	509(a)(1)	N/A	To provide both short and long-term care and counseling for youth between the ages of ten and eighteen	5,000 00 83-0335044
05/30/12	University of Utah- Health Science Development Office- Loris Bett Endowed Chair	540 Arapahoe Drive, Suite 120, Salt Lake City, UT 84108	509(a)(2)	N/A	To support the A. Loris Bett, MD, PhD Presidential Endowed Chair for the Senior Vice President of Health Sciences	200,000 00 87-6000525
05/30/12	Endometriosis Center- Children's Hospital Corporation (Boston)	1 Autumn Street, #731, Boston, MA 02215-5301	170(b)(1)(A)(u)	N/A	To provide worldwide leadership in pediatric health care	1,000 00 04-2774441
06/01/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	1,000 00 42-1597281
06/06/12	University of Utah College of Nursing	10 South 2000 East, Room #4135, Salt Lake City, UT 84112-5880	509(a)(2)	N/A	For the videotaping and webcasting of Terry Tempest Williams reading	2,000 00 87 6000525
06/12/12	Jackson Hole Community School	PO Box 6787, Jackson, WY 83002	170(b)(1)(A)(u)	N/A	Independent Secondary School that prepares students for college and life beyond by offering challenging academics, excellence in teaching, an array of extracurricular activities, and supportive school culture	16,750 00 83-0329536
06/13/12	St John's Episcopal Church	PO Box 1690, Jackson, WY 83001	509(a)(3) - Type I	N/A	Building Unity (UH Unite- Mary Erickson)	5,000 00 23-6396189
06/28/12	Conservation International	2011 Crystal Drive, Suite 500, Arlington, VA 22202	509(a)(1)	N/A	Building upon a strong foundation of science, partnership and field demonstration, CI empowers societies to responsibly and sustainably care for nature for the well-being of humanity	25,000 00 52-1497470
06/25/12	Harvard Business School	Teede Hall- Development Operations, 230 Western Avenue, Boston, MA 02163	170(b)(1)(A)(u)	N/A	Undergraduate, graduate, and professional education and research across a broad array of academic domains	1,000,000 00 04-2103580
06/29/12	First Tee of Utah (Young Driving for Values)	280 West 3300 South, Salt Lake City, UT 84119	509(a)(1)	N/A	Promote golf as a lifetime avocation for youth	1,000 00 01-0584107
07/02/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	1,000 00 42-1597281
07/05/12	Perfman Music Program- Shelter Island Arts Project	19 West 69th Street, Suite 304, New York, NY 10023	509(a)(1)	N/A	To support young musicians of talent	50,000 00 11-3247651
07/13/12	Perfman Music Program Summer Benefit	19 West 69th Street, Suite 304, New York, NY 10023	509(a)(1)	N/A	To support young musicians of talent	11-3247651
08/02/12	Cornell Lab of Ornithology (Cornell University)	159 Sapsucker Woods Road, Ithaca, NY 14850	170(b)(1)(A)(u)	N/A	To interpret and conserve the natural world	500,000 00 15-0532082
08/02/12	Perfman Music Program Summer Benefit	19 West 69th Street, Suite 304, New York, NY 10023	509(a)(1)	N/A	To support young musicians of talent	11-3247651

08/02/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	1,000 00	42-1597281
08/29/12	Teton Raptor Center	PO Box 1805, Wilson, WY 83014	509(a)(1)	N/A	Helping birds of prey through education, conservation and rehabilitation	5,000 00	83-0328068
09/04/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	1,000 00	42-1597281
10/01/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	1,000 00	42-1597281
10/03/12	Community Foundation of Jackson Hole	PO Box 574, Jackson, WY 83001	509(a)(1)	N/A	Improving lives through philanthropic leadership- Old Bill's Fun Run	1,000 00	42-1597281
10/03/12	Dancer's Workshop	PO Box 1500, Jackson, WY 83001	509(a)(1)	N/A	To enrich lives by offering excellence and diversity in dance experiences through education, performance and outreach for students and audiences of all ages	25,000 00	83-0308856
10/03/12	Grand Teton National Park Foundation	PO Box 170, Moose, WY 83012	509(a)(1)	N/A	Provides financials support for programs and projects which enhance, preserve and protect Grand Teton National Park's treasured cultural, historic and environmental resources	20,000 00	83-0232680
11/01/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	5,000 00	83-0322668
11/13/12	University of Utah Dept of Surgery	50 North Medical Drive, Salt Lake City, UT 84132	509(a)(2)	N/A	To support the department of surgery- Research Fund for Dr Ted Kimball	1,000 00	42-1597281
12/01/12	El Puente (Healthmap- Vida Day Sanchez)	PO Box 1110, Jackson, WY 83001	509(a)(1)	N/A	To improve access to the healthcare system among limited-English speakers by reducing linguistic and cultural barriers to care	50,000 00	87-6000525
12/21/12	East Hampton Health Care Foundation	200 Pantigo Place, East Hampton, NY 11937	509(a)(1)	N/A	To improve the availability and quality of healthcare services in the town of East Hampton- for the benefit of the general public	1,000 00	42-1597281
						10,000 00	31-16933659
						2,067,200	

Date	Recipient	Address	Status	Relationship (if any)	Purpose	Amount	EIN
07/03/12	Planned Parenthood Dinner- Cecile Richards (Planned Parenthood Federation of America)	434 West 33rd Street, New York, NY 10001	509(a)(1)	N/A	Dinner for Cecile Richards held in Snowbird, Utah	\$ 2,504 00	13-1644147
Total In Kind Donations						\$ 2,504 00	
Grand Total Donations 01/01/2012-12/31/2012						2,069,704	

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

Kind of Property		Description				P or D	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)	
6.		CORPORATE BONDS - WPX ENERGY					12/29/2004	01/31/2012
		3.					3.	
17,364.		CORPORATE BONDS - LEUCADIA					10/23/2002	03/15/2012
		13,558.					3,806.	
		CAPITAL GAIN FROM K-1S					VAR	VAR
							480,177.	
		SECTION 1231 GAIN FROM K-1S					VAR	VAR
							19,121.	
TOTAL GAIN (LOSS)							<u>503,107.</u>	