

ESTIMATE

Form **8937**  
(December 2011)  
Department of the Treasury  
Internal Revenue Service

**Report of Organizational Actions  
Affecting Basis of Securities**

OMB No. 1545-2224

▶ See separate instructions.

**Part I Reporting Issuer**

<b>1</b> Issuer's name MAINSTAY CUSHING ROYALTY ENERGY INCOME FUND		<b>2</b> Issuer's employer identification number (EIN) 37-1694790	
<b>3</b> Name of contact for additional information ANGELA A. TER MAAT	<b>4</b> Telephone No. of contact 414-287-3013	<b>5</b> Email address of contact angela.termaat@usbank.com	
<b>6</b> Number and street (or P.O. box if mail is not delivered to street address) of contact 777 EAST WISCONSIN AVENUE 5TH FLOOR		<b>7</b> City, town, or post office, state, and Zip code of contact MILWAUKEE, WISCONSIN, 53202	
<b>8</b> Date of action 10/23/2015		<b>9</b> Classification and description NONTAXABLE RETURN OF CAPITAL DISTRIBUTION	
<b>10</b> CUSIP number 56064B522 56064B498 56064B480 56064B514	<b>11</b> Serial number(s)	<b>12</b> Ticker symbol CURAX CURCX CURZX CURNX	<b>13</b> Account number(s)

**Part II Organizational Action** Attach additional statements if needed. See back of form for additional questions.

**14** Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ▶ MAINSTAY CUSHING ROYALTY ENERGY INCOME FUND PAID A NONTAXABLE RETURN OF CAPITAL DISTRIBUTION ON 10/23/2015 TO SHAREHOLDERS OF RECORD ON 10/22/2015. THE ESTIMATED PERCENT OF THE NONTAXABLE RETURN OF CAPITAL DISTRIBUTION PAID TO SHAREHOLDERS ON 10/23/2015 IS 100 PERCENT OF THE TOTAL AMOUNT OF DIVIDEND.

**15** Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis ▶ THE TOTAL NONTAXABLE RETURN OF CAPITAL PORTION OF THE DIVIDEND PAID TO SHAREHOLDERS OF RECORD ON 10/22/2015 WAS 0.20000 PER SHARE.

**16** Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ▶ THE BASIS OF SHAREHOLDERS OF RECORD ON 10/22/2015 IS LOWERED BY THE PER SHARE AMOUNT OF 0.20000 REFERENCED ABOVE. THE RATE WAS DETERMINED IN ACCORDANCE WITH IRC SECTION 301 AND SECTION 316.

**Part II Organizational Action** (continued)

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ▶ IRC 301,316

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18 Can any resulting loss be recognized? ▶ NO LOSS CAN BE RECOGNIZED BY THE SHAREHOLDERS OF RECORD ON 10/22/2015 FOR THE NONTAXABLE RETURN OF CAPITAL DISTRIBUTION RECEIVED.

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19 Provide any other information necessary to implement the adjustment, such as the reportable tax year ▶ THE INFORMATION PROVIDED ABOVE WILL BE PROVIDED ON THE SHAREHOLDERS 2015 1099 DIV STATEMENT BOX 3.

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<b>Sign Here</b>	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 officer) is based on all information of which preparer has any knowledge.			
	Signature ▶ <u>Kevin Cook</u>	Date ▶ <u>11/19/15</u>		
<b>Paid Preparer Use Only</b>	Print your name ▶ <u>Kevin Cook</u>	Title ▶ <u>Assistant Treasurer</u>		
	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed PTIN
	Firm's name ▶	Firm's EIN ▶		
	Firm's address ▶	Phone no.		