

Department of the Treasury
Internal Revenue Service

U.S. Return of Partnership Income
For calendar year 2011, or tax year beginning _____, 2011,
ending _____, 20 ____.
▶ See separate instructions.

OMB No. 1545-0099

2011

A Principal business activity	Print or type.	HENRY J. TOSTA, JR. FAMILY, L.P. 20662 SAN JOSE RD TRACY, CA 95304	D Employer identification number
FARMING			20-8154233
B Principal product or service			E Date business started
MILK & GRAINS			12/31/2006
C Business code number			F Total assets (see instrs)
112120			\$ 6,109,804.

G Check applicable boxes: (1) Initial return (2) Final return (3) Name change (4) Address change (5) Amended return
(6) Technical termination (also check (1) or (2))

H Check accounting method: (1) Cash (2) Accrual (3) Other (specify) _____

I Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year. **3**

J Check if Schedules C and M-3 are attached.

Caution. Include **only** trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

I N C O M E	1a Merchant card and third-party payments (including amounts reported on Form(s) 1099-K). For 2011, enter -0-	1a	0.		
	b Gross receipts or sales not reported on line 1a (see instructions)	1b			
	c Total. Add lines 1a and 1b	1c			
	d Returns and allowances plus any other adjustments to line 1a (see inst)	1d			
	e Subtract line 1d from line 1c	1e			
	2 Cost of goods sold (attach Form 1125-A)	2			
	3 Gross profit. Subtract line 2 from line 1e				3
	4 Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)				4
5 Net farm profit (loss) (attach Schedule F (Form 1040))				5	-331,037.
6 Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)				6	
7 Other income (loss) (attach statement)				7	
8 Total income (loss). Combine lines 3 through 7				8	-331,037.
D E D U C T I O N S	9 Salaries and wages (other than to partners) (less employment credits)			9	
	10 Guaranteed payments to partners			10	
	11 Repairs and maintenance			11	
	12 Bad debts			12	
	13 Rent			13	
	14 Taxes and licenses			14	800.
	15 Interest			15	
	16a Depreciation (if required, attach Form 4562)	16a	96,396.		
	b Less depreciation reported on Form 1125-A and elsewhere on return	16b	96,396.	16c	
	17 Depletion (Do not deduct oil and gas depletion.)			17	
	18 Retirement plans, etc.			18	
	19 Employee benefit programs			19	
	20 Other deductions (attach statement)			20	
	21 Total deductions. Add the amounts shown in the far right column for lines 9 through 20				21
22 Ordinary business income (loss). Subtract line 21 from line 8				22	-331,837.

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 general partner or limited liability company member manager) is based on all information of which preparer has any knowledge.

Signature of general partner or limited liability company member manager _____ Date _____

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

Paid Preparer Use Only

Print/Type preparer's name: MICHAEL F. SCHMIDT, C.P.A. Preparer's signature: *Michael F Schmidt* Date: 6-4-13

Firm's name: SCHMIDT, BETTENCOURT & MEDEIROS, LLP Firm's EIN: 77-0457760

Firm's address: 865 GEER ROAD Phone no.: (209) 668-4857

TURLOCK, CA 95380

Schedule B Other Information

1 What type of entity is filing this return? Check the applicable box:

a <input type="checkbox"/> Domestic general partnership	b <input checked="" type="checkbox"/> Domestic limited partnership	Yes	No
c <input type="checkbox"/> Domestic limited liability company	d <input type="checkbox"/> Domestic limited liability partnership		
e <input type="checkbox"/> Foreign partnership	f <input type="checkbox"/> Other..... ▶		

2 At any time during the tax year, was any partner in the partnership a disregarded entity, a partnership (including an entity treated as a partnership), a trust, an S corporation, an estate (other than an estate of a deceased partner), or a nominee or similar person?..... **X**

3 At the end of the tax year:

a Did any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization, or any foreign government own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If 'Yes,' attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership..... **X**

b Did any individual or estate own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If 'Yes,' attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership..... **X**

4 At the end of the tax year, did the partnership:

a Own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of stock entitled to vote of any foreign or domestic corporation? For rules of constructive ownership, see instructions. If 'Yes,' complete (i) through (iv) below..... **X**

(i) Name of Corporation	(ii) Employer Identification Number (if any)	(iii) Country of Incorporation	(iv) Percentage Owned in Voting Stock

b Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions. If 'Yes,' complete (i) through (v) below..... **X**

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital

	Yes	No
5 Did the partnership file Form 8893, Election of Partnership Level Tax Treatment, or an election statement under section 6231(a)(1)(B)(ii) for partnership-level tax treatment, that is in effect for this tax year? See Form 8893 for more details		X
6 Does this partnership satisfy all four of the following conditions? a The partnership's total receipts for the tax year were less than \$250,000. b The partnership's total assets at the end of the tax year were less than \$1 million. c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return. d The partnership is not filing and is not required to file Schedule M-3 If 'Yes,' the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item L on Schedule K-1.		X
7 Is this partnership a publicly traded partnership as defined in section 469(k)(2)?		X
8 During the tax year, did the partnership have any debt that was cancelled, was forgiven, or had the terms modified so as to reduce the principal amount of the debt?		X
9 Has this partnership filed, or is it required to file, Form 8918, Material Advisor Disclosure Statement, to provide information on any reportable transaction?		X
10 At any time during calendar year 2011, did the partnership have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts. If 'Yes,' enter the name of the foreign country. ▶		X
11 At any time during the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If 'Yes,' the partnership may have to file Form 3520, Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts. See instructions.		X
12a Is the partnership making, or had it previously made (and not revoked), a section 754 election? See instructions for details regarding section 754 election.		X
b Did the partnership make for this tax year an optional basis adjustment under section 743(b) or 734(b)? If 'Yes,' attach a statement showing the computation and allocation of the basis adjustment. See instructions.		X
c Is the partnership required to adjust the basis of partnership assets under section 743(b) or 734(b) because of a substantial built-in loss (as defined under section 743(d)) or substantial basis reduction (as defined under section 734(d))? If 'Yes,' attach a statement showing the computation and allocation of the basis adjustment. See instructions		X
13 Check this box if, during the current or prior tax year, the partnership distributed any property received in a like-kind exchange or contributed such property to another entity (other than disregarded entities wholly-owned by the partnership throughout the tax year) <input type="checkbox"/>		
14 At any time during the tax year, did the partnership distribute to any partner a tenancy-in-common or other undivided interest in a partnership property?		X
15 If the partnership is required to file Form 8858, Information Return of U.S. Persons With Respect To Foreign Disregarded Entities, enter the number of Forms 8858 attached. See instructions ▶		
16 Does the partnership have any foreign partners? If 'Yes,' enter the number of Forms 8805, Foreign Partner's Information Statement of Section 1446 Withholding Tax, filed for this partnership. ▶		X
17 Enter the number of Forms 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships, attached to this return ▶		
18a Did you make any payments in 2011 that would require you to file Form(s) 1099? See instructions.	X	
b If 'Yes,' did you or will you file all required Form(s) 1099?	X	
19 Enter the number of Form(s) 5471, Information Return of U.S. Persons With Respect To Certain Foreign Corporations, attached to this return. ▶		

Designation of Tax Matters Partner (see the instructions)

Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP ▶	HENRY J. TOSTA	Identifying number of TMP ▶	
If the TMP is an entity, name of TMP representative ▶		Phone number of TMP ▶	
Address of designated TMP ▶	20662 SAN JOSE RD TRACY, CA 95304		

Schedule K Partners' Distributive Share Items		Total amount	
Income (Loss)	1 Ordinary business income (loss) (page 1, line 22)	1	-331,837.
	2 Net rental real estate income (loss) (attach Form 8825)	2	-21,239.
	3a Other gross rental income (loss)	3a	
	b Expenses from other rental activities (attach stmt)	3b	
	c Other net rental income (loss). Subtract line 3b from line 3a	3c	
	4 Guaranteed payments	4	
	5 Interest income	5	
	6 Dividends: a Ordinary dividends	6a	
	b Qualified dividends	6b	
	7 Royalties	7	
	8 Net short-term capital gain (loss) (attach Schedule D (Form 1065))	8	
9a Net long-term capital gain (loss) (attach Schedule D (Form 1065))	9a		
	b Collectibles (28%) gain (loss)	9b	
	c Unrecaptured section 1250 gain (attach statement)	9c	
10 Net section 1231 gain (loss) (attach Form 4797)	10	185,660.	
11 Other income (loss) (see instructions) Type ▶	11		
Deductions	12 Section 179 deduction (attach Form 4562)	12	
	13a Contributions SEE STATEMENT 1	13a	350.
	b Investment interest expense	13b	
	c Section 59(e)(2) expenditures: (1) Type ▶ (2) Amount ▶	13c (2)	
d Other deductions (see instructions) Type ▶	13d		
Self-Employment	14a Net earnings (loss) from self-employment	14a	-3,318.
	b Gross farming or fishing income	14b	3,633,289.
	c Gross nonfarm income	14c	
Credits	15a Low-income housing credit (section 42(j)(5))	15a	
	b Low-income housing credit (other)	15b	
	c Qualified rehabilitation expenditures (rental real estate) (attach Form 3468)	15c	
	d Other rental real estate credits (see instructions) Type ▶	15d	
	e Other rental credits (see instructions) Type ▶	15e	
	f Other credits (see instructions) Type ▶	15f	
Foreign Transactions	16a Name of country or U.S. possession ▶		
	b Gross income from all sources	16b	
	c Gross income sourced at partner level	16c	
	Foreign gross income sourced at partnership level		
	d Passive category ▶ e General category ▶ f Other ▶	16f	
	Deductions allocated and apportioned at partner level		
	g Interest expense ▶ h Other ▶	16h	
	Deductions allocated and apportioned at partnership level to foreign source income		
	i Passive category ▶ j General category ▶ k Other ▶	16k	
l Total foreign taxes (check one): Paid <input type="checkbox"/> Accrued <input type="checkbox"/>	16l		
m Reduction in taxes available for credit (attach statement)	16m		
n Other foreign tax information (attach statement)			
Alternative Minimum Tax (AMT) Items	17a Post-1986 depreciation adjustment	17a	2,363.
	b Adjusted gain or loss	17b	
	c Depletion (other than oil and gas)	17c	
	d Oil, gas, and geothermal properties – gross income	17d	
	e Oil, gas, and geothermal properties – deductions	17e	
	f Other AMT items (attach stmt)	17f	
Other Information	18a Tax-exempt interest income	18a	
	b Other tax-exempt income	18b	
	c Nondeductible expenses	18c	
	19a Distributions of cash and marketable securities	19a	20,730.
	b Distributions of other property	19b	
	20a Investment income	20a	
b Investment expenses	20b		
c Other items and amounts (attach stmt) SEE STATEMENT 2			

Analysis of Net Income (Loss)

1 Net income (loss). Combine Schedule K, lines 1 through 11. From the result, subtract the sum of Schedule K, lines 12 through 13d, and 16i.						1	-167,766.
2 Analysis by partner type:	(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt organization	(vi) Nominee/Other	
a General partners		-1,676.					
b Limited partners							-166,090.

Schedule L	Balance Sheets per Books	Beginning of tax year		End of tax year	
		(a)	(b)	(c)	(d)
Assets					
1	Cash		91,249.		102,893.
2a	Trade notes and accounts receivable				
b	Less allowance for bad debts				
3	Inventories				
4	U.S. government obligations				
5	Tax-exempt securities				
6	Other current assets (attach stmt)				
7a	Loans to partners (or persons related to partners)				
b	Mortgage and real estate loans				
8	Other investments (attach stmt)				
9a	Buildings and other depreciable assets	5,773,574.		5,786,315.	
b	Less accumulated depreciation	3,734,954.	2,038,620.	3,851,277.	1,935,038.
10a	Depletable assets				
b	Less accumulated depletion				
11	Land (net of any amortization)		3,591,282.		3,591,282.
12a	Intangible assets (amortizable only)	41,643.		41,643.	
b	Less accumulated amortization	4,687.	36,956.	6,232.	35,411.
13	Other assets (attach stmt) SEE ST. 3		400,116.		445,180.
14	Total assets		6,158,223.		6,109,804.
Liabilities and Capital					
15	Accounts payable				
16	Mortgages, notes, bonds payable in less than 1 year		1,043,875.		1,341,279.
17	Other current liabilities (attach stmt) SEE ST. 4		64,327.		41,483.
18	All nonrecourse loans				
19a	Loans from partners (or persons related to partners)				
b	Mortgages, notes, bonds payable in 1 year or more		3,799,126.		3,664,643.
20	Other liabilities (attach stmt)				
21	Partners' capital accounts		1,250,895.		1,062,399.
22	Total liabilities and capital		6,158,223.		6,109,804.

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return
 Note. Schedule M-3 may be required instead of Schedule M-1 (see instructions).

1 Net income (loss) per books	-167,766.	6 Income recorded on books this year not included on Schedule K, lines 1 through 11 (itemize):	
2 Income included on Schedule K, lines 1, 2, 3c, 5, 6a, 7, 8, 9a, 10, and 11, not recorded on books this year (itemize):		a Tax-exempt interest	\$ _____
3 Guaranteed pmts (other than health insurance)		7 Deductions included on Schedule K, lines 1 through 13d, and 16i, not charged against book income this year (itemize):	
4 Expenses recorded on books this year not included on Schedule K, lines 1 through 13d, and 16i (itemize):		a Depreciation	\$ _____
a Depreciation	\$ _____	8 Add lines 6 and 7	
b Travel and entertainment	\$ _____	9 Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5	-167,766.
5 Add lines 1 through 4	-167,766.		

Schedule M-2 Analysis of Partners' Capital Accounts

1 Balance at beginning of year	1,250,895.	6 Distributions: a Cash	20,730.
2 Capital contributed: a Cash		b Property	
b Property		7 Other decreases (itemize):	
3 Net income (loss) per books	-167,766.	8 Add lines 6 and 7	20,730.
4 Other increases (itemize):		9 Balance at end of year. Subtract line 8 from line 5	1,062,399.
5 Add lines 1 through 4	1,083,129.		

Information on Partners Owning 50% or More of the Partnership

▶ Attach to Form 1065. See instructions.

Name of partnership HENRY J. TOSTA, JR. FAMILY, L.P.	Employer identification number (EIN) 20-8154233
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Part I Entities Owning 50% or More of the Partnership (Form 1065, Schedule B, Question 3a)

Complete columns (i) through (v) below for any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, tax-exempt organization, or any foreign government that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital
HENRY J. TOSTA, JR. TRUST		TRUST	U.S.	89.000

Part II Individuals or Estates Owning 50% or More of the Partnership (Form 1065, Schedule B, Question 3b)

Complete columns (i) through (iv) below for any individual or estate that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Individual or Estate	(ii) Identifying Number (if any)	(iii) Country of Citizenship (see instructions)	(iv) Maximum Percentage Owned in Profit, Loss, or Capital

SCHEDULE F
(Form 1040)

Department of the Treasury
Internal Revenue Service (99)

Profit or Loss From Farming

▶ Attach to Form 1040, Form 1040NR, Form 1041, Form 1065, or Form 1065-B.
▶ See Instructions for Schedule F (Form 1040).

OMB No. 1545-0074

2011

Attachment
Sequence No. **14**

Name of proprietor HENRY J. TOSTA, JR. FAMILY, L.P.		Social security number (SSN)
A Principal crop or activity MILK & GRAINS	B Enter code from Part IV ▶ 112120	C Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual
E Did you 'materially participate' in the operation of this business during 2011? If 'No,' see instructions for limit on passive losses.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
F Did you make any payments in 2011 that would require you to file Form(s) 1099 (see instructions)?.....		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
G If 'Yes,' did you or will you file all required Forms 1099?.....		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Part I Farm Income – Cash Method. Complete Parts I and II (Accrual method, Complete Parts II & III, & Part I, line 9.)

1 a Specified sales of livestock and other resale items (see instructions).....	1 a	0.	
b Sales of livestock and other resale items not reported on line 1a.....	1 b		
c Total of lines 1a and 1b (see instructions).....	1 c		
d Cost or other basis of livestock or other items reported on line 1c.....	1 d		
e Subtract line 1d from line 1c.....			1 e
2 a Specified sales of products you raised (see instructions).....	2 a	0.	
b Sales of products you raised not reported on line 2a.....	2 b	3,514,301.	
3 a Cooperative distributions (Form(s) 1099-PATR)....	3 a	30,106.	3 b Taxable amount.....
4 a Agricultural program payments (see instructions) ..	4 a	6,566.	4 b Taxable amount.....
5 a Commodity Credit Corporation (CCC) loans reported under election.....			5 a
b CCC loans forfeited.....	5 b		5 c Taxable amount.....
6 Crop insurance proceeds and federal crop disaster payments (see instructions):			
a Amount received in 2011.....	6 a		6 b Taxable amount.....
c If election to defer to 2012 is attached, check here... ▶ <input type="checkbox"/>		6 d Amount deferred from 2010.	6 d
7 a Specified custom hire (machine work) income (see instructions).....			7 a 0.
b Custom hire income not reported on line 7a.....			7 b
8 a Specified other income (see instructions).....			8 a 0.
b Other income not reported on line 8a (see instructions).....		SEE STATEMENT 5	8 b 82,316.
9 Gross income. Add amounts in the right column (lines 1e, 2a, 2b, 3b, 4b, 5a, 5c, 6b, 6d, 7a, 7b, 8a, and 8b). If you use the accrual method, enter the amount from Part III, line 50 (see instructions).....	9		3,633,289.

Part II Farm Expenses – Cash and Accrual Method. Do not include personal or living expenses (see instrs).

10 Car and truck expenses (see instructions). Also attach Form 4562.....	10	6,974.	23 Pension and profit-sharing plans.....	23	
11 Chemicals.....	11	709.	24 Rent or lease (see instructions):		
12 Conservation expenses (see instructions).....	12		a Vehicles, machinery, equipment.....	24 a	1,200.
13 Custom hire (machine work).....	13	29,997.	b Other (land, animals, etc).....	24 b	15,000.
14 Depreciation and section 179 expense (see instructions).....	14	96,396.	25 Repairs and maintenance.....	25	189,247.
15 Employee benefit programs other than on line 23.....	15		26 Seeds and plants.....	26	62,551.
16 Feed.....	16	2,376,267.	27 Storage and warehousing.....	27	
17 Fertilizers and lime.....	17		28 Supplies.....	28	45,124.
18 Freight and trucking.....	18	20,108.	29 Taxes.....	29	60,616.
19 Gasoline, fuel, and oil.....	19	114,877.	30 Utilities.....	30	83,521.
20 Insurance (other than health)....	20	28,832.	31 Veterinary, breeding, and medicine....	31	69,640.
21 Interest:			32 Other expenses (specify):		
a Mortgage (paid to banks, etc)....	21 a	184,911.	a SEE STATEMENT 6	32 a	402,466.
b Other.....	21 b		b	32 b	
22 Labor hired (less employment credits)....	22	175,890.	c	32 c	
			d	32 d	
			e	32 e	
			f	32 f	
33 Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions.....	33			33	3,964,326.
34 Net farm profit or (loss). Subtract line 33 from line 19.....	34			34	-331,037.

If a profit, stop here and see instructions for where to report. If a loss, complete lines 35 and 36.

35 Did you receive an applicable subsidy in 2011? (see instructions)..... Yes No

36 Check the box that describes your investment in this activity and see instructions for where to report your loss.

a All investment is at risk **b** Some investment is not at risk

Final K-1 Amended K-1

Schedule K-1 (Form 1065)

2011

For calendar year 2011, or tax

year beginning _____, 2011 ending _____

Department of the Treasury Internal Revenue Service

Partner's Share of Income, Deductions, Credits, etc. See separate instructions.

Table with 4 columns: Line number, Description, Amount, and Code. Includes rows for Ordinary business income (loss), Net rental real estate income (loss), Other net rental income (loss), Guaranteed payments, Interest income, Ordinary dividends, Qualified dividends, Royalties, Net short-term capital gain (loss), Net long-term capital gain (loss), Collectibles (28%) gain (loss), Unrecaptured section 1250 gain, Net section 1231 gain (loss), Other income (loss), Section 179 deduction, Other deductions, Self-employment earnings (loss), and Distributions.

Part I Information About the Partnership

Form section for Part I containing fields A through D: Partnership's employer identification number, Partnership's name, address, city, state, and ZIP code, IRS Center where partnership filed return, and a checkbox for publicly traded partnership (PTP).

Part II Information About the Partner

Form section for Part II containing fields E through M: Partner's identifying number, Partner's name, address, city, state, and ZIP code, Partner's type (General, Limited, Domestic, Foreign), Entity type, Partner's share of profit, loss, and capital, Partner's share of liabilities at year end, Partner's capital account analysis, and a checkbox for tax basis.

**BOX 2
RENTAL REAL ESTATE ACTIVITIES**

PROPERTY ADDRESS	GROSS INCOME	NET EXPENSES	NET INCOME	PASSIVE NONPASS	SEC. 1231 TOTAL
RIDGECREST DR. MANTECA, CA 95337	155.	99. \$	56.	PASSIVE	
SAMOA LANE LATHROP, CA 95330	134.	280.	-146.	PASSIVE	
CANAL BLVD. TRACY, CA 95376	177.	299.	-122.	PASSIVE	
		TOTAL	\$ -212.		

**BOX 20
OTHER INFORMATION**

*** DESCRIPTIVE INFORMATION**

Y DOMESTIC PRODUCTION ACTIVITIES DEDUCTION..... \$ 531.

Schedule K-1 (Form 1065)

2011

Final K-1 Amended K-1

Department of the Treasury Internal Revenue Service

For calendar year 2011, or tax year beginning ending

Partner's Share of Income, Deductions, Credits, etc. See separate instructions.

Part I Information About the Partnership
Part II Information About the Partner
E Partner's identifying number
F Partner's name, address, city, state, and ZIP code
G General partner or LLC member-manager
H Domestic partner
I What type of entity is this partner? FIDUCIARY
J Partner's share of profit, loss, and capital
K Partner's share of liabilities at year end
L Partner's capital account analysis
M Did the partner contribute property with a built-in gain or loss?

Table with 4 columns: Line number, Description, Amount, and Code. Includes rows for Ordinary business income, Net rental real estate income, Other net rental income, Guaranteed payments, Interest income, Dividends, Royalties, Capital gains, Section 179 deduction, Other deductions, Self-employment earnings, and Distributions.

This list identifies the codes used on Schedule K-1 for all partners and provides summarized reporting information for partners who file Form 1040. For detailed reporting and filing information, see the separate Partner's Instructions for Schedule K-1 and the instructions for your income tax return.

	Code	Report on
1 Ordinary business income (loss). Determine whether the income (loss) is passive or nonpassive and enter on your return as follows.		
	<i>Report on</i>	
Passive loss	See the Partner's Instructions	
Passive income	Schedule E, line 28, column (g)	
Nonpassive loss	Schedule E, line 28, column (h)	
Nonpassive income	Schedule E, line 28, column (i)	
2 Net rental real estate income (loss)	See the Partner's Instructions	
3 Other net rental income (loss)		
Net income	Schedule E, line 28, column (g)	
Net loss	See the Partner's Instructions	
4 Guaranteed payments	Schedule E, line 28, column (j)	
5 Interest income	Form 1040, line 8a	
6a Ordinary dividends	Form 1040, line 9a	
6b Qualified dividends	Form 1040, line 9b	
7 Royalties	Schedule E, line 3b	
8 Net short-term capital gain (loss)	Schedule D, line 5	
9a Net long-term capital gain (loss)	Schedule D, line 12	
9b Collectibles (28%) gain (loss)	28% Rate Gain Worksheet, line 4 (Schedule D Instructions)	
9c Unrecaptured section 1250 gain	See the Partner's Instructions	
10 Net section 1231 gain (loss)	See the Partner's Instructions	
11 Other income (loss)		
	<i>Code</i>	
A Other portfolio income (loss)	See the Partner's Instructions	
B Involuntary conversions	See the Partner's Instructions	
C Section 1256 contracts and straddles	Form 6781, line 1	
D Mining exploration costs recapture	See Pub 535	
E Cancellation of debt	Form 1040, line 21 or Form 982	
F Other income (loss)	See the Partner's Instructions	
12 Section 179 deduction	See the Partner's Instructions	
13 Other deductions		
A Cash contributions (50%)	See the Partner's Instructions	
B Cash contributions (30%)		
C Noncash contributions (50%)		
D Noncash contributions (30%)		
E Capital gain property to a 50% organization (30%)		
F Capital gain property (20%)		
G Contributions (100%)		
H Investment interest expense	Form 4952, line 1	
I Deductions — royalty income	Schedule E, line 19	
J Section 59(e)(2) expenditures	See the Partner's Instructions	
K Deductions — portfolio (2% floor)	Schedule A, line 23	
L Deductions — portfolio (other)	Schedule A, line 28	
M Amounts paid for medical insurance	Schedule A, line 1 or Form 1040, line 29	
N Educational assistance benefits	See the Partner's Instructions	
O Dependent care benefits	Form 2441, line 12	
P Preproductive period expenses	See the Partner's Instructions	
Q Commercial revitalization deduction from rental real estate activities	See Form 8582 Instructions	
R Pensions and IRAs	See the Partner's Instructions	
S Reforestation expense deduction	See the Partner's Instructions	
T Domestic production activities information	See Form 8903 Instructions	
U Qualified production activities income	Form 8903, line 7b	
V Employer's Form W-2 wages	Form 8903, line 17	
W Other deductions	See the Partner's Instructions	
14 Self-employment earnings (loss)		
A Net earnings (loss) from self-employment	Schedule SE, Section A or B	
B Gross farming or fishing income	See the Partner's Instructions	
C Gross non-farm income	See the Partner's Instructions	
15 Credits		
A Low-income housing credit (section 42(j)(5)) from pre-2008 buildings	See the Partner's Instructions	
B Low-income housing credit (other) from pre-2008 buildings		
C Low-income housing credit (section 42(j)(5)) from post-2007 buildings		
D Low-income housing credit (other) from post-2007 buildings		
E Qualified rehabilitation expenditures (rental real estate)		
F Other rental real estate credits		
G Other rental credits		
H Undistributed capital gains credit		Form 1040, line 71; check box a
I Alcohol and cellulosic biofuel fuels credit		See the Partner's Instructions
		<i>Code</i>
	J Work opportunity credit	See the Partner's Instructions
	K Disabled access credit	
	L Empowerment zone and renewal community employment credit	
	M Credit for increasing research activities	
	N Credit for employer social security and Medicare taxes	
	O Backup withholding	Form 1040, line 62
	P Other credits	See the Partner's Instructions
16 Foreign transactions		
A Name of country or U.S. possession		Form 1116, Part I
B Gross income from all sources		
C Gross income sourced at partner level		
<i>Foreign gross income sourced at partnership level</i>		
D Passive category		Form 1116, Part I
E General category		
F Other		
<i>Deductions allocated and apportioned at partner level</i>		
G Interest expense		Form 1116, Part I
H Other		Form 1116, Part I
<i>Deductions allocated and apportioned at partnership level to foreign source income</i>		
I Passive category		Form 1116, Part I
J General category		
K Other		
<i>Other information</i>		
L Total foreign taxes paid		Form 1116, Part II
M Total foreign taxes accrued		Form 1116, Part II
N Reduction in taxes available for credit		Form 1116, line 12
O Foreign trading gross receipts		Form 8873
P Extraterritorial income exclusion		Form 8873
Q Other foreign transactions		See the Partner's Instructions
17 Alternative minimum tax (AMT) items		
A Post-1985 depreciation adjustment		See the Partner's Instructions and the Instructions for Form 6251
B Adjusted gain or loss		
C Depletion (other than oil & gas)		
D Oil, gas, & geothermal — gross income		
E Oil, gas, & geothermal — deductions		
F Other AMT items		
18 Tax-exempt income and nondeductible expenses		
A Tax-exempt interest income		Form 1040, line 8b
B Other tax-exempt income		See the Partner's Instructions
C Nondeductible expenses		See the Partner's Instructions
19 Distributions		
A Cash and marketable securities		See the Partner's Instructions
B Distribution subject to section 737		
C Other property		
20 Other information		
A Investment income		Form 4952, line 4a
B Investment expenses		Form 4952, line 5
C Fuel tax credit information		Form 4136
D Qualified rehabilitation expenditures (other than rental real estate)		See the Partner's Instructions
E Basis of energy property		See the Partner's Instructions
F Recapture of low-income housing credit (section 42(j)(5))		Form 8611, line 8
G Recapture of low-income housing credit (other)		Form 8611, line 8
H Recapture of investment credit		Form 4255
I Recapture of other credits		See the Partner's instructions
J Look-back interest — completed long-term contracts		See Form 8697
K Look-back interest — income forecast method		See Form 8866
L Dispositions of property with section 179 deductions		See the Partner's Instructions
M Recapture of section 179 deduction		
N Interest expense for corporate partners		
O Section 453(l)(3) information		
P Section 453A(c) information		
Q Section 1260(b) information		
R Interest allocable to production expenditures		
S CCF nonqualified withdrawals		
T Depletion information — oil and gas		
U Amortization of reforestation costs		
V Unrelated business taxable income		
W Precontribution gain (loss)		
X Section 108(i) information		
Y Other information		

**BOX 2
RENTAL REAL ESTATE ACTIVITIES**

PROPERTY ADDRESS	GROSS INCOME	NET EXPENSES	NET INCOME	PASSIVE NONPASS	SEC. 1231 TOTAL
RIDGECREST DR. MANTECA, CA 95337	13,812.	8,854.	\$ 4,958.	PASSIVE	
SAMOA LANE LATHROP, CA 95330	11,904.	24,928.	-13,024.	PASSIVE	
CANAL BLVD. TRACY, CA 95376	15,744.	26,581.	-10,837.	PASSIVE	
		TOTAL	\$ -18,903.		

**BOX 20
OTHER INFORMATION**

*** DESCRIPTIVE INFORMATION**

Y DOMESTIC PRODUCTION ACTIVITIES DEDUCTION..... \$ 47,218.

SUPPLEMENTAL INFORMATION

PARTNER HEALTH INSURANCE PREMIUMS = \$7,979

Final K-1 Amended K-1

Schedule K-1
(Form 1065)

2011

Department of the Treasury
Internal Revenue Service

For calendar year 2011, or tax
year beginning _____, 2011
ending _____

Partner's Share of Income, Deductions, Credits, etc.
▶ See separate instructions.

Part III Partner's Share of Current Year Income, Deductions, Credits, and Other Items			
1	Ordinary business income (loss)	15	Credits
	-33,184.		
2	Net rental real estate income (loss)		
*	-2,124.		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items
		A	236.
9b	Collectibles (28%) gain (loss)		
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt income and nondeductible expenses
	18,566.		
11	Other income (loss)		
		19	Distributions
12	Section 179 deduction	A	2,073.
13	Other deductions		
A	35.	20	Other information
		Y*	STMT
14	Self-employment earnings (loss)		
B	363,329.		
*See attached statement for additional information.			

Part I Information About the Partnership

A Partnership's employer identification number
20-8154233

B Partnership's name, address, city, state, and ZIP code
HENRY J. TOSTA, JR. FAMILY, L.P.
20662 SAN JOSE RD
TRACY, CA 95304

C IRS Center where partnership filed return
E-FILE

D Check if this is a publicly traded partnership (PTP)

Part II Information About the Partner

E Partner's identifying number
20-7213441

F Partner's name, address, city, state, and ZIP code
HENRY J. TOSTA, JR IRREVOCABLE
FAMILY TRUST DTD NOV. 21, 2006
2850 PEBBLEBROOKE CT.
TRACY, CA 95377

G General partner or LLC member-manager Limited partner or other LLC member

H Domestic partner Foreign partner

I What type of entity is this partner? FIDUCIARY

J Partner's share of profit, loss, and capital (see instructions):

	Beginning	Ending
Profit	10 %	10 %
Loss	10 %	10 %
Capital	10 %	10 %

K Partner's share of liabilities at year end:

Nonrecourse	\$	
Qualified nonrecourse financing	\$	500,592.
Recourse	\$	

L Partner's capital account analysis:

Beginning capital account	\$	125,088.
Capital contributed during the year	\$	
Current year increase (decrease)	\$	-16,777.
Withdrawals and distributions	\$	(2,073.)
Ending capital account	\$	106,238.

Tax basis GAAP Section 704(b) book
 Other (explain)

M Did the partner contribute property with a built-in gain or loss?
 Yes No
If 'Yes', attach statement (see instructions)

FOR USE ONLY

This list identifies the codes used on Schedule K-1 for all partners and provides summarized reporting information for partners who file Form 1040. For detailed reporting and filing information, see the separate Partner's Instructions for Schedule K-1 and the instructions for your income tax return.

Code	Description	Report on	
1	Ordinary business income (loss). Determine whether the income (loss) is passive or nonpassive and enter on your return as follows.		
	Passive loss	See the Partner's Instructions	
	Passive income	Schedule E, line 28, column (g)	
	Nonpassive loss	Schedule E, line 28, column (h)	
	Nonpassive income	Schedule E, line 28, column (i)	
2	Net rental real estate income (loss)	See the Partner's Instructions	
3	Other net rental income (loss)		
	Net income	Schedule E, line 28, column (g)	
	Net loss	See the Partner's Instructions	
4	Guaranteed payments	Schedule E, line 28, column (j)	
5	Interest income	Form 1040, line 8a	
6a	Ordinary dividends	Form 1040, line 9a	
6b	Qualified dividends	Form 1040, line 9b	
7	Royalties	Schedule E, line 3b	
8	Net short-term capital gain (loss)	Schedule D, line 5	
9a	Net long-term capital gain (loss)	Schedule D, line 12	
9b	Collectibles (28%) gain (loss)	28% Rate Gain Worksheet, line 4 (Schedule D Instructions)	
9c	Unrecaptured section 1250 gain	See the Partner's Instructions	
10	Net section 1231 gain (loss)	See the Partner's Instructions	
11	Other income (loss)		
	<i>Code</i>		
A	Other portfolio income (loss)	See the Partner's Instructions	
B	Involuntary conversions	See the Partner's Instructions	
C	Section 1256 contracts and straddles	Form 6781, line 1	
D	Mining exploration costs recapture	See Pub 535	
E	Cancellation of debt	Form 1040, line 21 or Form 982	
F	Other income (loss)	See the Partner's Instructions	
12	Section 179 deduction	See the Partner's Instructions	
13	Other deductions		
A	Cash contributions (50%)	See the Partner's Instructions	
B	Cash contributions (30%)		
C	Noncash contributions (50%)		
D	Noncash contributions (30%)		
E	Capital gain property to a 50% organization (30%)		
F	Capital gain property (20%)		
G	Contributions (100%)		
H	Investment interest expense	Form 4952, line 1	
I	Deductions — royalty income	Schedule E, line 19	
J	Section 59(e)(2) expenditures	See the Partner's Instructions	
K	Deductions — portfolio (2% floor)	Schedule A, line 23	
L	Deductions — portfolio (other)	Schedule A, line 28	
M	Amounts paid for medical insurance	Schedule A, line 1 or Form 1040, line 29	
N	Educational assistance benefits	See the Partner's Instructions	
O	Dependent care benefits	Form 2441, line 12	
P	Preproductive period expenses	See the Partner's Instructions	
Q	Commercial revitalization deduction from rental real estate activities	See Form 8582 Instructions	
R	Pensions and IRAs	See the Partner's Instructions	
S	Reforestation expense deduction	See the Partner's Instructions	
T	Domestic production activities information	See Form 8903 Instructions	
U	Qualified production activities income	Form 8903, line 7b	
V	Employer's Form W-2 wages	Form 8903, line 17	
W	Other deductions	See the Partner's Instructions	
14	Self-employment earnings (loss)		
	Note. If you have a section 179 deduction or any partner-level deductions, see the Partner's Instructions before completing Schedule SE.		
A	Net earnings (loss) from self-employment	Schedule SE, Section A or B	
B	Gross farming or fishing income	See the Partner's Instructions	
C	Gross non-farm income	See the Partner's Instructions	
15	Credits		
A	Low-income housing credit (section 42(j)(5)) from pre-2008 buildings	See the Partner's Instructions	
B	Low-income housing credit (other) from pre-2008 buildings		
C	Low-income housing credit (section 42(j)(5)) from post-2007 buildings		
D	Low-income housing credit (other) from post-2007 buildings		
E	Qualified rehabilitation expenditures (rental real estate)		
F	Other rental real estate credits		
G	Other rental credits		
H	Undistributed capital gains credit		Form 1040, line 71; check box a
I	Alcohol and cellulosic biofuel fuels credit		See the Partner's Instructions
J	Work opportunity credit	See the Partner's Instructions	
K	Disabled access credit		
L	Empowerment zone and renewal community employment credit	See the Partner's Instructions	
M	Credit for increasing research activities		
N	Credit for employer social security and Medicare taxes	Form 1040, line 62	
O	Backup withholding		
P	Other credits	See the Partner's Instructions	
16	Foreign transactions		
A	Name of country or U.S. possession	Form 1116, Part I	
B	Gross income from all sources		
C	Gross income sourced at partner level		
	<i>Foreign gross income sourced at partnership level</i>		
D	Passive category	Form 1116, Part I	
E	General category		
F	Other		
	<i>Deductions allocated and apportioned at partner level</i>		
G	Interest expense	Form 1116, Part I	
H	Other	Form 1116, Part I	
	<i>Deductions allocated and apportioned at partnership level to foreign source income</i>		
I	Passive category	Form 1116, Part I	
J	General category		
K	Other		
	<i>Other information</i>		
L	Total foreign taxes paid	Form 1116, Part II	
M	Total foreign taxes accrued	Form 1116, Part II	
N	Reduction in taxes available for credit	Form 1116, line 12	
O	Foreign trading gross receipts	Form 8873	
P	Extraterritorial income exclusion	Form 8873	
Q	Other foreign transactions	See the Partner's Instructions	
17	Alternative minimum tax (AMT) items		
A	Post-1986 depreciation adjustment	See the Partner's Instructions and the Instructions for Form 6251	
B	Adjusted gain or loss		
C	Depletion (other than oil & gas)		
D	Oil, gas, & geothermal — gross income		
E	Oil, gas, & geothermal — deductions		
F	Other AMT items		
18	Tax-exempt income and nondeductible expenses		
A	Tax-exempt interest income	Form 1040, line 8b	
B	Other tax-exempt income	See the Partner's Instructions	
C	Nondeductible expenses	See the Partner's Instructions	
19	Distributions		
A	Cash and marketable securities	See the Partner's Instructions	
B	Distribution subject to section 737		
C	Other property		
20	Other information		
A	Investment income	Form 4952, line 4a	
B	Investment expenses	Form 4952, line 5	
C	Fuel tax credit information	Form 4136	
D	Qualified rehabilitation expenditures (other than rental real estate)	See the Partner's Instructions	
E	Basis of energy property	See the Partner's Instructions	
F	Recapture of low-income housing credit (section 42(j)(5))	Form 8611, line 8	
G	Recapture of low-income housing credit (other)	Form 8611, line 8	
H	Recapture of investment credit	Form 4255	
I	Recapture of other credits	See the Partner's Instructions	
J	Look-back interest — completed long-term contracts	See Form 8597	
K	Look-back interest — income forecast method	See Form 8866	
L	Dispositions of property with section 179 deductions	See the Partner's Instructions	
M	Recapture of section 179 deduction		
N	Interest expense for corporate partners		
O	Section 453(l)(3) information		
P	Section 453A(c) information		
Q	Section 1260(b) information		
R	Interest allocable to production expenditures		
S	CCF nonqualified withdrawals		
T	Depletion information — oil and gas		
U	Amortization of reforestation costs		
V	Unrelated business taxable income		
W	Precontribution gain (loss)		
X	Section 108(i) information		
Y	Other information		

**BOX 2
RENTAL REAL ESTATE ACTIVITIES**

<u>PROPERTY ADDRESS</u>	<u>GROSS INCOME</u>	<u>NET EXPENSES</u>	<u>NET INCOME</u>	<u>PASSIVE NONPASS</u>	<u>SEC. 1231 TOTAL</u>
RIDGECREST DR. MANTECA, CA 95337	1,552.	995.	\$ 557.	PASSIVE	
SAMOA LANE LATHROP, CA 95330	1,338.	2,801.	-1,463.	PASSIVE	
CANAL BLVD. TRACY, CA 95376	1,769.	2,987.	-1,218.	PASSIVE	
		<u>TOTAL</u>	<u>\$ -2,124.</u>		

**BOX 20
OTHER INFORMATION**

*** DESCRIPTIVE INFORMATION**

Y DOMESTIC PRODUCTION ACTIVITIES DEDUCTION..... \$ 5,305.

Depreciation and Amortization
(Including Information on Listed Property)

▶ See separate instructions. ▶ Attach to your tax return.

Name(s) shown on return

HENRY J. TOSTA, JR. FAMILY, L.P.

Identifying number

20-8154233

Business or activity to which this form relates

FORM 1065, SCHEDULE F - MILK & GRAINS

Part I Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount (see instructions)	1	500,000.
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	2,000,000.
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	
10	Carryover of disallowed deduction from line 13 of your 2010 Form 4562	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instrs) ..	11	
12	Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11	12	
13	Carryover of disallowed deduction to 2012. Add lines 9 and 10, less line 12	▶ 13	

Note: Do not use Part II or Part III below for listed property. Instead, use Part V.

Part II Special Depreciation Allowance and Other Depreciation (Do not include listed property.) (See instructions.)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	12,741.
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	14,725.

Part III MACRS Depreciation (Do not include listed property.) (See instructions.)

Section A

17	MACRS deductions for assets placed in service in tax years beginning before 2011	17	68,930.
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here. <input type="checkbox"/>		

Section B – Assets Placed in Service During 2011 Tax Year Using the General Depreciation System

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only — see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property			7	HY	150DB	
d 10-year property						
e 15-year property			15	HY	150DB	
f 20-year property						
g 25-year property			25 yrs		S/L	
h Residential rental property			27.5 yrs	MM	S/L	
i Nonresidential real property			27.5 yrs	MM	S/L	
			39 yrs	MM	S/L	

Section C – Assets Placed in Service During 2011 Tax Year Using the Alternative Depreciation System

20a Class life					S/L	
b 12-year			12 yrs		S/L	
c 40-year			40 yrs	MM	S/L	

Part IV Summary (See instructions.)

21	Listed property. Enter amount from line 28	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations — see instructions	22	96,396.
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

Part V Listed Property (Include automobiles, certain other vehicles, certain computers, and property used for entertainment, recreation, or amusement.)

Note: For any vehicle for which you are using the standard mileage rate or deducting lease expense, complete only 24a, 24b, columns (a) through (c) of Section A, all of Section B, and Section C if applicable.

Section A – Depreciation and Other Information (Caution: See the instructions for limits for passenger automobiles.)

24a Do you have evidence to support the business/investment use claimed?									<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	24b If 'Yes,' is the evidence written?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(a) Type of property (list vehicles first)	(b) Date placed in service	(c) Business/investment use percentage	(d) Cost or other basis	(e) Basis for depreciation (business/investment use only)	(f) Recovery period	(g) Method/Convention	(h) Depreciation deduction	(i) Elected section 179 cost						
25 Special depreciation allowance for qualified listed property placed in service during the tax year and used more than 50% in a qualified business use (see instructions)								25						
26 Property used more than 50% in a qualified business use:														
2005 CHEVY P	2/08/05	100.0	40,975.	40,975.	5.0	150DB HY								
27 Property used 50% or less in a qualified business use:														
28 Add amounts in column (h), lines 25 through 27. Enter here and on line 21, page 1								28	0.					
29 Add amounts in column (i), line 26. Enter here and on line 7, page 1								29	0.					

Section B – Information on Use of Vehicles

Complete this section for vehicles used by a sole proprietor, partner, or other 'more than 5% owner,' or related person. If you provided vehicles to your employees, first answer the questions in Section C to see if you meet an exception to completing this section for those vehicles.

	(a) Vehicle 1		(b) Vehicle 2		(c) Vehicle 3		(d) Vehicle 4		(e) Vehicle 5		(f) Vehicle 6	
	Yes	No										
30 Total business/investment miles driven during the year (do not include commuting miles)												
31 Total commuting miles driven during the year												
32 Total other personal (noncommuting) miles driven												
33 Total miles driven during the year. Add lines 30 through 32												
34 Was the vehicle available for personal use during off-duty hours?												
35 Was the vehicle used primarily by a more than 5% owner or related person?												
36 Is another vehicle available for personal use?												

Section C – Questions for Employers Who Provide Vehicles for Use by Their Employees

Answer these questions to determine if you meet an exception to completing Section B for vehicles used by employees who are not more than 5% owners or related persons (see instructions).

	Yes	No
37 Do you maintain a written policy statement that prohibits all personal use of vehicles, including commuting, by your employees?		
38 Do you maintain a written policy statement that prohibits personal use of vehicles, except commuting, by your employees? See the instructions for vehicles used by corporate officers, directors, or 1% or more owners		
39 Do you treat all use of vehicles by employees as personal use?		
40 Do you provide more than five vehicles to your employees, obtain information from your employees about the use of the vehicles, and retain the information received?		
41 Do you meet the requirements concerning qualified automobile demonstration use? (See instructions.)		

Note: If your answer to 37, 38, 39, 40, or 41 is 'Yes,' do not complete Section B for the covered vehicles.

Part VI Amortization

(a) Description of costs	(b) Date amortization begins	(c) Amortizable amount	(d) Code section	(e) Amortization period or percentage	(f) Amortization for this year
42 Amortization of costs that begins during your 2011 tax year (see instructions):					
43 Amortization of costs that began before your 2011 tax year				43	1,545.
44 Total. Add amounts in column (f). See the instructions for where to report				44	1,545.

Sales of Business Property
(Also Involuntary Conversions and Recapture Amounts
Under Sections 179 and 280F(b)(2))

▶ Attach to your tax return. ▶ See separate instructions.

Name(s) shown on return: **HENRY J. TOSTA, JR. FAMILY, L.P.** Identifying number: **20-8154233**

1 Enter the gross proceeds from sales or exchanges reported to you for 2011 on Form(s) 1099-B or 1099-S (or substitute statement) that you are including on line 2, 10, or 20 (see instructions) **1**

Part I Sales or Exchanges of Property Used in a Trade or Business and Involuntary Conversions From Other Than Casualty or Theft – Most Property Held More Than 1 Year (see instructions)

2	(a) Description of property	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Gross sales price	(e) Depreciation allowed or allowable since acquisition	(f) Cost or other basis, plus improvements and expense of sale	(g) Gain or (loss) Subtract (f) from the sum of (d) and (e)
	RAISED LIVESTOCK (2+ YEARS OLD)	VARIOUS	VARIOUS	185,660.			185,660.

3 Gain, if any, from Form 4684, line 39 **3**

4 Section 1231 gain from installment sales from Form 6252, line 26 or 37 **4**

5 Section 1231 gain or (loss) from like-kind exchanges from Form 8824 **5**

6 Gain, if any, from line 32, from other than casualty or theft **6**

7 Combine lines 2 through 6. Enter the gain or (loss) here and on the appropriate line as follows: **7 185,660.**

Partnerships (except electing large partnerships) and S corporations. Report the gain or (loss) following the instructions for Form 1065, Schedule K, line 10, or Form 1120S, Schedule K, line 9. Skip lines 8, 9, 11, and 12 below.

Individuals, partners, S corporation shareholders, and all others. If line 7 is zero or a loss, enter the amount from line 7 on line 11 below and skip lines 8 and 9. If line 7 is a gain and you did not have any prior year section 1231 losses, or they were recaptured in an earlier year, enter the gain from line 7 as a long-term capital gain on the Schedule D filed with your return and skip lines 8, 9, 11, and 12 below.

8 Nonrecaptured net section 1231 losses from prior years (see instructions) **8**

9 Subtract line 8 from line 7. If zero or less, enter -0-. If line 9 is zero, enter the gain from line 7 on line 12 below. If line 9 is more than zero, enter the amount from line 8 on line 12 below and enter the gain from line 9 as a long-term capital gain on the Schedule D filed with your return (see instructions) **9**

Part II Ordinary Gains and Losses (see instructions)

10 Ordinary gains and losses not included on lines 11 through 16 (include property held 1 year or less):

11 Loss, if any, from line 7 **11**

12 Gain, if any, from line 7 or amount from line 8, if applicable **12**

13 Gain, if any, from line 31 **13**

14 Net gain or (loss) from Form 4684, lines 31 and 38a **14**

15 Ordinary gain from installment sales from Form 6252, line 25 or 36 **15**

16 Ordinary gain or (loss) from like-kind exchanges from Form 8824 **16**

17 Combine lines 10 through 16 **17**

18 For all except individual returns, enter the amount from line 17 on the appropriate line of your return and skip lines a and b below. For individual returns, complete lines a and b below:

a If the loss on line 11 includes a loss from Form 4684, line 35, column (b)(ii), enter that part of the loss here. Enter the part of the loss from income-producing property on Schedule A (Form 1040), line 28, and the part of the loss from property used as an employee on Schedule A (Form 1040), line 23. Identify as from 'Form 4797, line 18a.' See instructions **18a**

b Redetermine the gain or (loss) on line 17 excluding the loss, if any, on line 18a. Enter here and on Form 1040, line 14 **18b**

Rental Real Estate Income and Expenses of a Partnership or an S Corporation

▶ See instructions.

▶ Attach to Form 1065, Form 1065-B, or Form 1120S.

Name HENRY J. TOSTA, JR. FAMILY, L.P.	Employer identification number 20-8154233
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1	Show the type and address of each property. For each rental real estate property listed, report the number of days rented at fair rental value and days with personal use. See instructions. See page 2 to list additional properties.			
	Physical address of each property – street, city, state, ZIP code	Type – Enter code 1-8; see page 2 for list	Fair Rental Days	Personal Use Days
A	RIDGECREST DR. MANTECA, CA 95337	1	365	
B	SAMOA LANE LATHROP, CA 95330	1	365	
C	CANAL BLVD. TRACY, CA 95376	1	365	
D				

		Properties			
		A	B	C	D
Rental Real Estate Income					
2	Gross rents	15,519.	13,375.	17,690.	
Rental Real Estate Expenses					
3	Advertising				
4	Auto and travel				
5	Cleaning and maintenance				
6	Commissions				
7	Insurance	900.	700.	1,300.	
8	Legal and other professional fees				
9	Interest		17,305.	15,601.	
10	Repairs	1,228.	1,831.	3,461.	
11	Taxes	1,480.	1,720.	2,370.	
12	Utilities				
13	Wages and salaries				
14	Depreciation (see instructions)	6,340.	6,353.	7,134.	
15	Other (list) ▶ <u>AMORTIZATION</u>		100.		
16	Total expenses for each property. Add lines 3 through 15	9,948.	28,009.	29,866.	
17	Income or (Loss) from each property. Subtract line 16 from line 2	5,571.	-14,634.	-12,176.	
18a	Total gross rents. Add gross rents from line 2, columns A through H				46,584.
18b	Total expenses. Add total expenses from line 16, columns A through H				-67,823.
19	Net gain (loss) from Form 4797, Part II, line 17, from the disposition of property from rental real estate activities				
20a	Net income (loss) from rental real estate activities from partnerships, estates, and trusts in which this partnership or S corporation is a partner or beneficiary (from Schedule K-1)				
b Identify below the partnerships, estates, or trusts from which net income (loss) is shown on line 20a. Attach a schedule if more space is needed:					
	(1) Name	(2) Employer identification number			
	-----	-----			
	-----	-----			
21	Net rental real estate income (loss). Combine lines 18a through 20a. Enter the result here and on: • Form 1065 or 1120S: Schedule K, line 2, or • Form 1065-B: Part I, line 4				-21,239.

1 Show the type and address of each property. For each rental real estate property listed, report the number of days at fair rental value and days with personal use. See instructions.

Physical address of each property – street, city, state, ZIP code	Type – Enter code 1-8; see below for list	Fair Rental Days	Personal Use Days
E -----	-----	-----	-----
F -----	-----	-----	-----
G -----	-----	-----	-----
H -----	-----	-----	-----

Rental Real Estate Income		Properties			
		E	F	G	H
2 Gross rents	2				
Rental Real Estate Expenses					
3 Advertising	3				
4 Auto and travel	4				
5 Cleaning and maintenance	5				
6 Commissions	6				
7 Insurance	7				
8 Legal and other professional fees	8				
9 Interest	9				
10 Repairs	10				
11 Taxes	11				
12 Utilities	12				
13 Wages and salaries	13				
14 Depreciation (see instructions)	14				
15 Other (list) ▶ -----	15				

16 Total expenses for each property. Add lines 3 through 15	16				
17 Income or (Loss) from each property. Subtract line 16 from line 2	17				

Allowable Codes for Type of Property

- 1– Single Family Residence
- 2– Multi-Family Residence
- 3– Vacation or Short-term Rental
- 4– Commercial
- 5– Land
- 6– Royalties
- 7– Self-Rental
- 8– Other (include description with the code on Form 8825 or on a separate statement)

CLIENT 75005

HENRY J. TOSTA, JR. FAMILY, L.P.

20-8154233

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STATEMENT 1
FORM 1065, SCHEDULE K, LINE 13A
CHARITABLE CONTRIBUTIONS

CASH CONTRIBUTIONS - 50% LIMITATION.....		\$	350.
	TOTAL	\$	<u>350.</u>

STATEMENT 2
FORM 1065, SCHEDULE K, LINE 20C
OTHER REPORTABLE ITEMS

DOMESTIC PRODUCTION ACTIVITIES DEDUCTION.....	\$	53,054.
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STATEMENT 3
FORM 1065, SCHEDULE L, LINE 13
OTHER ASSETS

	BEGINNING	ENDING
RECEIVABLE - BANTA INN.....	\$ 188,376.	\$ 201,174.
RECEIVABLE - LEE BROWN.....	211,740.	244,006.
TOTAL	<u>\$ 400,116.</u>	<u>\$ 445,180.</u>

STATEMENT 4
FORM 1065, SCHEDULE L, LINE 17
OTHER CURRENT LIABILITIES

	BEGINNING	ENDING
CREDIT CARD LIABILITIES.....	\$ 54,834.	\$ 32,282.
PAYROLL LIABILITIES.....	9,493.	9,201.
TOTAL	<u>\$ 64,327.</u>	<u>\$ 41,483.</u>

STATEMENT 5
SCHEDULE F, LINE 8B
OTHER INCOME NOT REPORTED ON LINE 8A

1099-MISC - DAVID B. BEM #77-0514742.....	\$	19,500.
MISCELLANEOUS.....		8,581.
OTHER RENT INCOME.....		54,235.
TOTAL	\$	<u>82,316.</u>

CLIENT 75005

HENRY J. TOSTA, JR. FAMILY, L.P.

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STATEMENT 6
SCHEDULE F, LINE 32
OTHER EXPENSES

ACCOUNTING FEES.....	\$	3,085.
ADVERTISING.....		715.
AMORTIZATION.....		1,545.
BANK CHARGES.....		1,789.
CALF RAISING EXPENSES.....		127,067.
DUES & SUBSCRIPTIONS.....		1,406.
HARVESTING.....		41,552.
HOOF TRIMMING.....		31,645.
IRRIGATION.....		28,110.
LEGAL.....		145.
LICENSES AND PERMITS.....		3,427.
MARKETING & ASSESSMENTS.....		141,837.
OTHER FARMING COSTS.....		8,033.
TELEPHONE.....		3,793.
TESTING.....		8,317.
	TOTAL \$	<u>402,466.</u>

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HENRY J. TOSTA, JR. FAMILY, L.P.

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NO.	DESCRIPTION	DATE ACQUIRED	DATE SOLD	COST/ BASIS	BUS. PCT	CUR 179/ SDA	PRIOR 179/ SDA/ DEPR.	METHOD	LIFE	CURRENT DEPR.
RENTAL REAL ESTATE - RESIDENTIAL RENTAL										
<u>1416 RIDGECREST DR, MANTECA</u>										
1	LAND - STEP-UP	8/30/03		100,000						0
2	HOUSE	11/01/79		75,000			75,000	S/L	30	0
3	HOUSE - STEP-UP	8/30/03		174,345			46,755	S/L MM	27.5	6,340
TOTAL 1416 RIDGECREST DR, MA				349,345		0	121,755			6,340
TOTAL DEPRECIATION				<u>349,345</u>		<u>0</u>	<u>121,755</u>			<u>6,340</u>
RENTAL REAL ESTATE - RESIDENTIAL RENTAL										
<u>568 SOMOA LN, LATHROP</u>										
4	LAND - STEP-UP	8/30/03		100,000						0
5	HOUSE	9/01/76		25,500			25,500	S/L	30	0
6	HOUSE - STEP-UP	8/30/03		174,700			46,851	S/L MM	27.5	6,353
68	LOAN FEES	12/26/06		3,013			400	S/L	30	100
TOTAL 568 SOMOA LN, LATHROP				303,213		0	72,751			6,453
TOTAL DEPRECIATION				<u>303,213</u>		<u>0</u>	<u>72,751</u>			<u>6,453</u>
RENTAL REAL ESTATE - RESIDENTIAL RENTAL										
<u>6188 W CANAL, TRACY</u>										
7	LAND - STEP-UP	8/30/03		150,000						0
8	HOUSE	11/24/92		133,259			87,826	S/L MM	27.5	4,846
9	HOUSE - STEP-UP	8/30/03		62,926			16,874	S/L MM	27.5	2,288
TOTAL 6188 W CANAL, TRACY				346,185		0	104,700			7,134
TOTAL DEPRECIATION				<u>346,185</u>		<u>0</u>	<u>104,700</u>			<u>7,134</u>

FORM 1065, SCHEDULE F - MILK & GRAINS

AMORTIZATION

CLIENT 75005

HENRY J. TOSTA, JR. FAMILY, L.P.

20-8154233

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NO.	DESCRIPTION	DATE ACQUIRED	DATE SOLD	COST/ BASIS	BUS. PCT.	CUR 179/ SDA	PRIOR 179/ SDA/ DEPR.	METHOD	LIFE	CURRENT DEPR.
73	REFINANCE COSTS	12/01/09		38,630			1,674	S/L	25	1,545
	TOTAL AMORTIZATION			38,630		0	1,674			1,545
AUTO / TRANSPORT EQUIPMENT										
10	FORD 2-TON TRUCK	12/01/83		1,550			1,550	S/L	5	0
11	VEHICLES	6/01/82		32,665			32,665	S/L	10	0
12	1993 CHEVY P/U	6/19/93		24,046			24,046	150DB HY	5	0
13	1994 CHEVY P/U	12/26/96		24,265			24,265	150DB HY	5	0
14	1988 CHEVY P/U	9/12/99		4,000			4,000	150DB HY	5	0
15	GOOSENECK TRAILER	8/31/04		6,800			6,383	150DB HY	7	417
57	2005 CHEVY P/U	2/08/05		40,975			40,975	150DB HY	5	0
58	FORD CABOVER	12/14/05		600			476	150DB HY	7	83
59	MANURE TRUCK	6/22/06		39,999			36,668	150DB HY	5	3,331
70	FEED TRUCK / MIXER	11/29/07		65,000			45,007	150DB MQ	5	10,662
	TOTAL AUTO / TRANSPORT EQUI			239,900		0	216,035			14,493
BUILDINGS										
16	BELOTTA - 2 HOUSES	11/18/93		48,500			21,300	S/L MM	39	1,243
17	BELOTTA - 2 BARNs	11/18/93		71,000			31,172	S/L MM	39	1,821
18	MIDDLE - BARNs	12/01/00		377,173			97,115	S/L MM	39	9,670
19	MIDDLE - BLDGS	8/11/00		385,850			102,649	S/L MM	39	9,892
20	HWY 120 - HOUSE - STEP-UP	8/30/03		54,120			13,229	S/L	30	1,804
21	HWY 120 - BARNs - STEP-UP	8/30/03		17,500			4,275	S/L	30	583
22	HOMESTEAD BLDGS - STEP-UP	8/30/03		38,000			9,291	S/L	30	1,267
23	BELLOTA HOUSES - STEP-UP	8/30/03		19,500			3,667	S/L	39	500
24	MIDDLE BARNs - STEP-UP	8/30/03		100,227			18,955	S/L MM	39	2,570
25	MIDDLE-PERS RES - STEP-UP	8/30/03		202,500						0
26	MIDDLE BLDGS - STEP-UP	8/30/03		615,948			116,482	S/L MM	39	15,793
65	COMMODITY BARN - SJ DAIRY	9/09/06		94,227			48,932	150DB HY	10	8,235
66	SHOP - CIP	12/31/06		57,982						0
	TOTAL BUILDINGS			2,082,527		0	467,067			53,378
IMPROVEMENTS										
64	CONCRETE DITCH LINE	6/16/06		23,642			8,905	150DB HY	15	1,474
75	CONCRETE	9/29/11		4,000		4,000		150DB HY	15	0
76	WELL	11/03/11		4,000		4,000		150DB HY	15	0
	TOTAL IMPROVEMENTS			31,642		8,000	8,905			1,474

CLIENT 75005

HENRY J. TOSTA, JR. FAMILY, L.P.

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NO.	DESCRIPTION	DATE ACQUIRED	DATE SOLD	COST/ BASIS	BUS. PCT	CUR 179/ SDA	PRIOR 179/ SDA/ DEPR	METHOD	LIFE	CURRENT DEPR.
LAND										
27	BELLOTA LAND	11/18/93		260,000						0
28	MIDDLE LAND - 97 AC	8/11/00		275,530						0
29	HWY 120 LAND - STEP-UP	8/30/03		280,000						0
30	LAMMERS LAND - STEP-UP	8/30/03		481,250						0
31	HOMESTEAD LAND - STEP-UP	8/30/03		169,800						0
32	HOMESTEAD LAND - STEP-UP	8/30/03		372,950						0
33	BELLOTA LAND - STEP-UP	8/30/03		175,300						0
34	MIDDLE LAND - STEP-UP	8/30/03		211,920						0
35	MIDDLE LAND 36 AC STEP-UP	8/30/03		182,650						0
36	MIDDLE LAND 39 AC STEP-UP	8/30/03		270,000						0
67	KASSON LOT 4 - STEP-UP	8/30/03		561,882						0
TOTAL LAND				3,241,282		0	0			0
LIVESTOCK										
56	2013 COWS - STEP-UP	8/30/03		2,481,900			2,481,900	150DB HY	7	0
60	2 BULLS	3/31/06		923			846	150DB HY	5	77
61	2 BULLS	6/09/06		1,225			1,123	150DB HY	5	102
62	3 BULLS	6/22/06		2,850			2,613	150DB HY	5	237
63	BULL	7/10/06		925			848	150DB HY	5	77
69	4 BULLS	6/20/07		4,550			3,501	150DB MQ	5	763
72	4 BULLS	9/30/09		5,400			2,187	150DB HY	5	964
74	BULLS	8/19/10		3,300			495	150DB HY	5	842
TOTAL LIVESTOCK				2,501,073		0	2,493,513			3,062
MACHINERY AND EQUIPMENT										
37	TRACTOR	12/01/83		14,500			14,500	S/L	5	0
38	PUMP	6/01/81		2,063			2,063	S/L	10	0
39	SEMEN TANK	10/01/82		200			200	S/L	5	0
40	AIR COMPRESSOR	6/01/82		1,590			1,590	S/L	5	0
41	SPRINGTOOTH	5/01/86		874			874	S/L	5	0
42	DISK & ROLLER	10/01/86		2,000			2,000	S/L	5	0
43	WHITE TRACTOR	2/01/86		7,055			7,055	S/L	5	0
44	FORD TRACTOR	11/01/86		2,000			2,000	S/L	5	0
45	OAT CHOPPER	8/01/87		3,000			3,000	150DB HY	7	0
46	GENERATOR	12/01/88		1,378			1,378	150DB HY	7	0
47	WELDER	5/01/88		1,026			1,026	150DB HY	7	0

CLIENT 75005

HENRY J. TOSTA, JR. FAMILY, L.P.

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NO.	DESCRIPTION	DATE ACQUIRED	DATE SOLD	COST/ BASIS	BUS. PCT.	CUR 179/ SDA	PRIOR 179/ SDA/ DEPR	METHOD	LIFE	CURRENT DEPR	
48	WINDROWER	5/01/88		6,500			6,500	150DB HY	7	0	
49	RAKE	6/01/88		1,500			1,500	150DB HY	7	0	
50	INTL 1566 TRACTOR	9/01/89		5,006			5,006	150DB HY	7	0	
51	SCALE	10/31/90		3,675			3,675	150DB HY	7	0	
52	CHOPPER	4/29/03		18,500			18,500	150DB HY	7	0	
53	CASE 9250 TRACTOR	9/10/03		41,409			41,409	150DB HY	7	0	
54	3 USED TRACTORS	6/12/04		4,353			4,086	150DB HY	7	267	
71	QUAD	12/15/07		2,500			1,731	150DB MQ	5	410	
77	PUMP	4/18/11		4,741			4,741	150DB HY	7	0	
TOTAL MACHINERY AND EQUIPME				123,870			4,741			118,093	677
QUOTA											
55	MILK QUOTA - STEP-UP	8/30/03		158,560			132,135	S/L	15	10,571	
TOTAL QUOTA				158,560			0			132,135	10,571
TOTAL DEPRECIATION				<u>8,378,854</u>			<u>12,741</u>			<u>3,435,748</u>	<u>83,655</u>
GRAND TOTAL AMORTIZATION				38,630			0			1,674	1,545
GRAND TOTAL DEPRECIATION				<u>9,377,597</u>			<u>12,741</u>			<u>3,734,954</u>	<u>103,582</u>

CLIENT 75005

HENRY J. TOSTA, JR. FAMILY, L.P.

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FARMS (SCHEDULE F)
SALES OF PRODUCTS RAISED
MILK & GRAINS

DAIRY FARMERS OF AMERICA \$ 3,514,301.
TOTAL \$ 3,514,301.

FARMS (SCHEDULE F)
TAXABLE COOPERATIVE DISTRIBUTIONS
MILK & GRAINS

DAIRY FARMERS OF AMERICA, INC..... \$ 30,064.
COOPERATIVE RESOURCES INT'L..... 42.
TOTAL \$ 30,106.

FARMS (SCHEDULE F)
TAXES
MILK & GRAINS

PAYROLL..... \$ 19,132.
PROPERTY..... 41,484.
TOTAL \$ 60,616.