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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

ELLEN HALL,	)	Filed August 27, 1986
Plaintiff-Appellant,	)	
vs.	)	6-137 84-1363
MERLIN and RONALD FREIBURGER, As Owners of Valley Hill Trailer Court,	)	
Defendants-Appellees.	)	

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Appeal from the Iowa District Court for Dubuque County (No. 42702), L. John Degnan, Judge.

Plaintiff appeals from an order in which the district court discontinued its jurisdiction to supervise the parties' compliance with terms of an injunction previously entered, asserting that continued exercise of jurisdiction is necessary. **AFFIRMED.**

Mark S. Beckman of Pfeiler & Pearce Law Offices, Dubuque, for plaintiff-appellant.

Joseph J. Bitter, Dubuque, for defendants-appellees.

Considered by Oxberger, C.J., Schlegel, and Sackett, JJ.

OXBERGER, C.J. 119

In this appeal, plaintiff-appellant Ellen Hall challenges the propriety of an order discontinuing the trial court's jurisdiction of an injunction. An examination of the record reveals no abuse of the trial court's discretion, and accordingly, we affirm.

In 1980, plaintiff Ellen Hall brought a nuisance action against Merlin and Ronald *Freiburger seeking damages from and abatement of an* alleged nuisance caused by the emanation of odors from the sewage system maintained at the defendants' mobile home park. The defendants filed a counterclaim against the plaintiff alleging that she in fact caused the nuisance by discharging untreated sewage into a nearby drainage ditch. After trial, the court dismissed both the petition and counterclaim, *assessed the costs equally, and made a specific finding* that:

> It is the finding of this Court that both systems under control of the owners of the property on which the disposal systems operate and are now maintained can be continued to be maintained and operated without damage to the other by continuing in full compliance with the laws and regulations implemented in the spirit of cooperation with neighbors and common sense, and a real effort made to avoid further court expense in an effort to force the move of either this plaintiff or defendants.
>
> Both parties to this action are enjoined from constructing or otherwise modifying or repairing the septic system of the mobile home park system in any manner which is not in full compliance with the law and regulations applying, and within the structure of the requirements promulgated by the Dubuque County Department of Sanitation and the personnel responsible for the operation of that place.

In March of 1984, the plaintiff *filed a Report of Modification and Repair* claiming that she had made improvements to her sewage disposal system, but that odors continued to emanate from the defendants' system. In its order responding to the report, the trial court stated that the plaintiff's repairs were adequate to satisfy the defendants' complaints and on this basis discontinued its supervisory jurisdiction. This is the order appealed from.

After reviewing the record, we conclude that the purpose of the trial court's injunctive decree was to insure that the plaintiff maintain her sewage system in accordance with the law. It is well settled that injunctive relief is properly granted only where there has been an invasion or threatened invasion of a right which is likely to result in substantial injury. Rosendahl Levy v. Iowa State Highway Commission, 171 N.W.2d 530, 537-38 (Iowa 1969). Because the trial court's order and the available evidence indicate that the plaintiff's sewage system and not that of the defendants' was the primary cause of the injury complained of, we conclude that the object of the injunction was the abatement of the inadequacies in the plaintiff's system.

We have repeatedly recognized that the issuance or dissolution of an injunction rests largely in the discretion of the trial court. Board of Education of Kimballtown Independent School District v. Board of Education of Audubon County, 151 N.W.2d 465, 467 (Iowa 1967); Wood Bros. Thresher Co. v. Eicher, 231 Iowa 550, 558, 1 N.W.2d 655, 660 (1942). A discretionary ruling is presumptively correct, and will be overturned on appeal only where an abuse of discretion has been shown. Sheer Construction, Inc. v. Hodgman and Sons, Inc., 326 N.W.2d 328, 334 (Iowa 1982). We find no abuse of discretion in the instant case and accordingly, we affirm the action of the trial court.

AFFIRMED.