FILED
JUN 30 1981
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF NORMAN S. VENENGA AND SANDRA K. VENENGA

Upon the Petition of

NORMAN S. VENENGA,

Petitioner-Appellant,

And Concerning

SANDRA K. VENENGA,

Respondent-Appellee.

1-117
2-65223

Finding June 30, 1981

Appeal from Grundy District Court. Carroll E. Engelkes, Judge.

Petitioner husband appeals from economic portions of the parties' dissolution of marriage decree. AFFIRMED.

James Ellefson, of Lundy, Butler & Lundy, Eldora, Ia., for petitoner-appellant.

Donald A. Wilson, of Wilson, Hall, Wilson & Craig, Eldora, Ia., for respondent-appellee.

Submitted to Oxberger, C. J., Donielson, Snell, Carter and Johnson, JJ.

PER CURIAM

Petitioner, Norman Venenga, appeals from support provisions of the parties' dissolution of marriage decree. We affirm.

Norman and Sandra were married in 1972. One child, a son, was born in 1977. The parties had farmed during their marriage. In 1980, Norman ended the farming operation and began a grain hauling business. He continues to rent some farm land and derives income from the crops. Sandra works part-time as an optometrist's receptionist. Norman filed for dissolution in 1979. The trial court awarded custody of the son to Sandra. The court ordered the farm property to be sold and the proceeds equally divided. The court divided the personal property between the parties which resulted in approximately $6,300 awarded to Norman and $13,000 to Sandra. The court deemed that excess amount to Sandra constituted a lump-sum alimony award to aid in furthering her schooling and employment skills. The court ordered Norman to pay $250 per month in child support and $200 for 48 months as alimony. Norman appeals the support provisions and alleges these amounts are in excess of his net monthly earnings and alimony is unwarranted. Our review is de novo. Iowa R. App. P. 4. We consider the guidelines set forth in Schantz v. Schantz, 163 N.W.2d 398, 405 (Iowa 1968), excluding fault.

The trial court made no findings as to Norman's earning ability. The grain hauling business was only three months old, making a determination difficult. We find the evidence supports a finding that Norman's total income would be approximately $12,000 per year, $10,500 from the grain hauling business and $1,500 farm income. Sandra in her part-time position earns $2,750 per year.

Norman urges that alimony is not justified. We find an award is warranted in light of Sandra's present earning ability and the child's pre-school years. We find the amount of the child support and alimony awards to be equitable under the circumstances. See Schantz, supra; In re Marriage of Zoellner, 219 N.W.2d 517, 525 (Iowa 1974).

Sandra applies for attorney fees on appeal Such an award is dependent upon the financial needs and abilities of the parties. We find under the circumstances that no attorney fees should be granted. Costs are assessed to Norman.

AFFRIMED.