

**IN THE COURT OF APPEALS OF IOWA**

No. 8-068 / 07-0518  
Filed February 27, 2008

**GOLDEN FURROW FERTILIZER, INC.,**  
**an Iowa Corporation,**  
Plaintiff-Appellee,

**vs.**

**MICHAEL BAKER,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Jefferson County, Annette J. Scieszinski, Judge.

Defendant appeals from the adverse judgment on the plaintiff's breach of contract action. **AFFIRMED.**

Michael Baker, Ogallala, Nebraska, pro se.

Allen L. Cook III of Harrison, Moreland, Webber & Woods, P.C., Ottumwa,  
for appellee.

Considered by Mahan, P.J., and Eisenhauer and Baker, JJ.

**MAHAN, P.J.**

The appellee, Golden Furrow Fertilizers, Inc., filed the present action against the appellant, Michael Baker, claiming Baker failed to pay for products and services related to the application of chemicals to his fields in 2005. Baker raised seven counterclaims contending Golden Furrow's improper application of farm chemicals in 2004 and 2005 reduced his crop yields. The district court entered judgment in favor of Golden Furrow, dismissing all but one of Baker's counterclaims for damages. The damages related to the sole surviving counterclaim were used to offset a small portion of the damages awarded to Golden Furrow.

Baker now appeals, contending the judgment should be reversed because Golden Furrow's witnesses gave inconsistent testimony. Baker also contends the court erred in denying his remaining claims for breach of contract.

We review breach of contract cases for the correction of errors at law. *East Broadway Corp. v. Taco Bell Corp.*, 542 N.W.2d 816, 819 (Iowa 1996). The court's findings of fact are binding on appeal if they are supported by substantial evidence. *Hartzler v. Town of Kalona*, 218 N.W.2d 608, 609 (Iowa 1974).

After a thorough review of the record in this case, we conclude the district court's judgment is supported by substantial evidence. Furthermore, we find the testimonial inconsistencies alleged on appeal were either nonexistent or insubstantial and irrelevant to the issues at hand. We also find no error in the court's decision to deny Baker's remaining counterclaims. Accordingly, we affirm the decision of the district court.

**AFFIRMED.**