

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of)
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D.L. EVANS BANK)
BURLEY, IDAHO)
)
(INSURED STATE NONMEMBER BANK))
)
_____)

ORDER TO PAY

Docket No. FDIC-09-681k

D.L. Evans Bank, Burley, Idaho ("Respondent") and a representative of the Legal Division of the Federal Deposit Insurance Corporation ("FDIC") executed a Stipulation and Consent to the Issuance of an Order to Pay ("Stipulation") dated October 18, 2010, whereby Respondent, solely for the purpose of this proceeding and without admitting or denying any and all charges of the violation of any law, rule or regulation, consented and agreed to pay civil money penalties in the amount specified below to the Treasury of the United States.

The FDIC considered the matter and determined that Respondent violated the Real Estate Settlement Procedures Act, 12 U.S.C. §§ 2601 *et seq.*, by creating and operating in concert with other parties a mortgage company that was used by the Bank as a conduit for paying unlawful fees to ReMax Country Real Estate for the referral of mortgage loan customers to Respondent.

After taking into account the Stipulation, the appropriateness of the penalty with respect to the financial resources and good faith of Respondent, the gravity of the conduct by Respondent, the history of previous conduct by Respondent, and such other matters as justice may require, the FDIC accepts the Stipulation and issues the following:

ORDER TO PAY

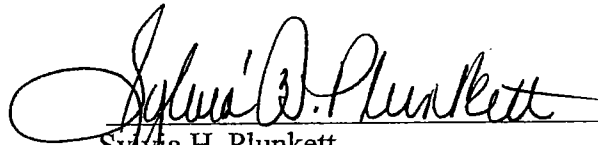
IT IS HEREBY ORDERED, that by reason of the alleged violation set forth in the Stipulation, a penalty of \$50,000 is assessed against Respondent. Respondent shall pay such amount to the Treasury of the United States.

IT IS FURTHER ORDERED that Respondent is prohibited from seeking or accepting indemnification from any third party for the civil money penalty assessed and paid in this matter.

This Order to Pay shall be effective upon its issuance by the FDIC.

Pursuant to delegated authority.

Dated at Washington, D.C. this 19th day of November, 2010.


Sylvia H. Plunkett
Associate Director
Division of Supervision and
Consumer Protection