

**41:03:03:06. Park entrance license fees.** The park entrance license fees are as follows:

(1) The fee for an annual park entrance license is \$30 for the first vehicle and \$15 for each additional vehicle registered to the same owner;

(2) The fee for a transferable annual park entrance license is \$65;

(3) The temporary park entrance license fee at Custer State Park is \$20 for a vehicle or \$10 for a motorcycle. This license is valid for visits of one to seven consecutive days, inclusive, from the date of purchase in any state park or recreation area;

(4) Except at Custer State Park, the daily park entrance license fee is ~~\$4 for each person in the motor vehicle who is 12 years old or older or~~ \$6 a vehicle;

(5) If a vehicle does not have a valid park entrance license displayed as required in § 41:03:03:02, the operator or the registered owner of the vehicle shall pay \$10 for a daily park entrance license for each day the vehicle is in the park, except at Custer State Park where the fee is \$20. The operator or registered owner may apply the entire amount of the cost of this daily park entrance license towards the purchase of an annual park entrance license;

(6) In lieu of the annual, daily, or temporary park entrance license fee, each person, except the driver and step on guide, occupying a commercial motorcoach with a seating capacity of eight people or more in any state park or recreation area shall pay a park entrance license fee of \$3 a person; and

(7) Any group or organization that hosts a private one-day event at any state park or recreation area may pay, in lieu of any other park entrance license fee, a special one-day events park entrance license fee of \$50 for each increment of 50 attendees, or any

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portion thereof. The total fee is payable in advance and no partial refunds will be given. This fee does not extend overnight. One-day events shall have the written consent of the park manager or a designee at least 15 days prior to the event. Organized or hosted special one-day events include such events as weddings, wedding receptions, meetings, class or family reunions, corporate or organizational picnics, and banquets. Competitive events are not eligible for a one-day events permit.

**Source:** 10 SDR 120, effective May 16, 1984; 11 SDR 69, effective November 21, 1984; 12 SDR 151, effective March 16, 1986; 13 SDR 128, effective March 22, 1987; 15 SDR 139, effective March 20, 1989; 16 SDR 114, effective January 18, 1990; 16 SDR 135, effective February 18, 1990; 17 SDR 78, effective December 10, 1990; 17 SDR 170, effective May 14, 1991; 18 SDR 223, effective July 13, 1992; 19 SDR 82, effective December 7, 1992; 20 SDR 87, effective December 13, 1993; 20 SDR 150, effective March 23, 1994; 21 SDR 86, effective November 10, 1994, and May 1, 1995; 22 SDR 89, effective December 26, 1995; 25 SDR 108, effective February 28, 1999; 26 SDR 85, effective December 26, 1999; subdivision (5), adopted December 26, 1999, effective May 1, 2000; 26 SDR 162, effective June 14, 2000; 27 SDR 85, effective February 26, 2001; 28 SDR 103, effective January 30, 2002; 29 SDR 147, effective May 6, 2003; 30 SDR 99, effective December 22, 2003; 32 SDR 31, effective August 29, 2005; 33 SDR 225, effective June 25, 2007; 34 SDR 179, effective December 24, 2007; 35 SDR 184, effective February 2, 2009; 36 SDR 112, effective January 11, 2010; 37 SDR 112, effective December 8, 2010; 38 SDR 213, effective June 19, 2012; 39 SDR 100, effective December 3, 2012; 42 SDR 97, effective January 5, 2016.

**General Authority:** SDCL 41-17-13.

**Law Implemented:** SDCL 41-17-13.

**41:03:04:01. Definitions.** Terms used in this chapter have the following meanings:

(1) "Campground site" or "campsite," a specific camping pad or a temporary area that is specifically designated by the park manager;

(2) "Camper unit," a powered vehicle, motor home, camping bus, pull-type camper, tent, or any other device designed for sleeping;

(3) "Modern campground," a campground equipped with flush toilets, lavatories, hot showers, and individual camping pads;

(4) "Semimodern campground," a campground equipped with individual camping pads and either flush toilets and lavatories without showers or a shower house and vault toilets;

(5) "Basic campground," a campground equipped with vault toilets where camping is allowed on camping pads, grassed areas, or parking lots;

(6) "Equestrian campground," a campground designed to accommodate camper units with horses;

(7) "Camping cabin," a campsite with a wood structure provided by the department, furnished with beds and electricity;

(8) "Large group camping reservation," a reservation for a group camping loop at Lewis and Clark Recreation area or for 10 or more campsites at any other state park campground that accepts a group camping reservation;

(9) "Nonprofit youth group," an organized group of youths all under age 18, sponsored by a nonprofit organization. A nonprofit youth group is a group of youths accompanied by a smaller group of adult leaders that have been designated by the

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organization to provide supervision, guidance, and instruction to the group. Any adult accompanying the youth group for the primary purpose of supervising the adult's own children is not considered an adult leader of the group;

(10) "Preferred campground," a modern campground with weekend occupancy of exceeding 80 percent to 89 percent from the Friday before Memorial Day to Labor Day, inclusive, on non-equestrian and electrical campsites;

(11) "Prime ~~waterfront campsite~~ campground," a modern ~~campsite~~ campground adjacent to the waterfront at Lewis and Clark Recreation Area and Chief White Crane Recreation Area with weekend occupancy of and greater than 90 ~~exceeding 95~~ percent from the Friday before Memorial Day to Labor Day, inclusive, on non-equestrian and electrical campsites;

~~(12) "Primitive lodging campsite," a campsite where a canvas teepee or wall tent with a wooden floor is provided by the department;~~

~~(12)~~(13) "Recreational vehicle campsite," a campsite where a self-contained, pull-type camping unit designed for recreational use is provided by the department;

~~(13)~~(14) "Family," parents or grandparents and unmarried minor children;

~~(14)~~(15) "Hard sided camper," any type of device that is designed for sleeping and shelter that is attached to at least a single axle;

~~(15)~~(16) "Rent-a-camper," a campsite with a hard sided camper provided by the department, furnished with beds, appliances, and electricity;

~~(16)~~(17) "Lodge," a permanent structure provided by the department, furnished with beds, appliances, and home décor.

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**Source:** SL 1975, ch 16, § 1; 3 SDR 73, effective April 25, 1977; 6 SDR 96, effective April 1, 1980; 10 SDR 73, effective January 17, 1984; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 14 SDR 81, effective December 10, 1987; 15 SDR 139, effective March 20, 1989; 16 SDR 114, effective January 18, 1990; 17 SDR 170, effective May 14, 1991; 19 SDR 190, effective June 15, 1993; 20 SDR 150, effective March 23, 1994; 23 SDR 87, effective December 3, 1996; 23 SDR 142, effective March 17, 1997; 24 SDR 99, effective February 2, 1998; 24 SDR 156, effective May 17, 1998; 27 SDR 49, effective November 16, 2000; 28 SDR 150, effective May 7, 2002; 36 SDR 112, effective January 11, 2010.

**General Authority:** SDCL 41-17-1.1(1).

**Law Implemented:** SDCL 41-2-24, 41-17-1.1(1).

**41:03:04:03. Camping permit fees.** The daily fee for the use of a campground site by one camper unit is as follows:

(1) Custer State Park modern campground fee, \$21. Campgrounds included are Game Lodge; Sylvan Lake; Grace Coolidge; Legion Lake; Stockade North; Stockade South; and Blue Bell;

(2) Modern campground fee, \$13. Campgrounds included are ~~Fort Sisseton,~~ except during the ~~Fort Sisseton Festival (see subdivision (6) of this section); Union Grove;~~ Platte Creek; Swan Creek; ~~Fisher Grove;~~ West Whitlock; Indian Creek; ~~Pease Creek;~~ Okobojo Point; Cow Creek; ~~Buryanek;~~ and West Pollock;

(3) Custer State Park semimodern campground fee, \$19. The campground included is Center Lake;

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(4) Basic campground fee, \$11. Campgrounds included are Burke Lake; Shadehill-Llewellyn Johns Memorial; Bear Butte Lake unit; Lake Hiddenwood; Sand Creek; East Whitlock; Tabor; North Wheeler; Spring Creek; Oakwood primitive area; Lake Carthage; South Shore; Whetstone Bay; South Scalp Creek; White Swan; Walth Bay; and Amsden Dam;

(5) Custer State Park French Creek natural area, seven dollars for each person;

(6) Use of a campground site at Fort Sisseton during the annual Fort Sisseton Festival, \$25. Program participants and festival campers are exempt from paying the camping fee;

(7) Equestrian campground fee, \$13. Campgrounds included are Bear Butte Horse Camp and Sica Hollow Horse Camp. However, at Lewis and Clark Horse Camp, Newton Hills Horse Camp, Oakwood Lakes Horse Camp, Pease Creek Horse Camp, Pelican Lake Horse Camp, Union Grove Horse Camp, and Sheps Canyon Horse Camp the camping fee is \$15;

(8) Camping cabin fee, ~~\$40~~ \$45. Campgrounds included are those in all state parks and recreation areas where camping cabins are located. ~~However, at Lewis and Clark Recreation Area, Pierson Ranch Recreation Area, and Chief White Crane Recreation Area the camping cabin fee is \$45. Except at~~ At Custer State Park where the camping cabin fee is \$50;

(9) Nonprofit youth group camping fee, fifty cents for each person or six dollars, whichever is greater;

(10) Preferred campground fee, \$15. Campgrounds included are Fisher Grove; Buryanek; Oakwood Lakes; Angostura, including Shep's Canyon; Lake Vermillion;

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~~Lewis and Clark, except those campsites designated as prime waterfront campsites; Newton Hills; Snake Creek; Palisades; Roy Lake; Lake Herman; Lake Poinsett; Walker's Point; Pickerel; Shadehill-Ketterlings Point; Sandy Shore; Lake Cochrane; Farm Island; Lake Louise; Lake Thompson; Mina; Chief White Crane, except those campsites designated as prime water front campsites; Pierson Ranch; North Point; Oahe Downstream; Big Sioux; Hartford Beach; Richmond; Springfield; Rocky Point; West Bend; and Randall Creek; and South Pelican;~~

(11) Prime campsite fee, \$17. Sites included are: all campsites furnished with sewer, water, and electrical service; Lewis and Clark; ~~campsite numbers 117P to 161P, inclusive; 163P; 164P; 166P; 213P to 223P, inclusive; 317P to 334P, inclusive; and 384P to 409P, inclusive; and Chief White Crane campsite numbers 111P to 145P, inclusive; Angostura including Sheps Canyon; Palisades; Big Sioux; Lake Vermillion; Rocky Point; Mina Lake; Lake Herman; North Point; Walker's Point; Lake Poinsett; Oakwood Lakes; South Pelican; Newton Hills; Shadehill Ketterlings Point; Pickerel Lake; Lake Cochrane; Sandy Shore; Pierson Ranch; Union Grove; Richmond Lake; Pease Creek; Lake Thompson; Roy Lake; Farm Island; Snake Creek; Lake Louise; Hartford Beach; and Fort Sisseton, except during the Fort Sisseton Festival (see subdivision (6) of this section);~~

~~(12) Primitive lodging campsite fee, \$23. The campground included is Fort Sisseton State Park;~~

~~(12)(13)~~ Custer State Park group camping area fee, seven dollars a person for overnight use with a minimum fee of \$140;

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~~(13)~~(14) The group lodging fee at: Mina Lake State Recreation Area is ~~\$185~~ \$205 and Shadehill State Recreation Area is ~~\$185~~ \$205 a night for the first eight persons plus \$10 for each additional person with a maximum occupancy of ten persons; Lake Thompson State Recreation Area, Palisades State Park, Sheps Canyon State Recreation Area, and Newton Hills State Park is ~~\$240~~ \$280 a night for the first 12 persons plus \$10 for each additional person with a maximum occupancy of 15 persons;

~~(14)~~(15) Custer State Park, French Creek Horse Camp fee, ~~\$26~~ \$31;

~~(15)~~(16) Oahe Downstream Group Lodge use fee is \$40 per night for nonprofit youth groups year-round and for nonprofit groups and government agencies from November 1 to March 31, inclusive, and \$125 per night for all other groups year-round. The use fee for all groups except nonprofit youth groups is \$125 from April 1 to October 31, inclusive.

An additional charge of four dollars a unit is made for campground sites with electricity.

A South Dakota resident entitled to purchase a camping permit and campsite electrical service for one-half price pursuant to SDCL 41-17-13.4 shall submit written verification of that status from the United States Veterans Administration to the licensing office of the department in Pierre. The licensing office shall send the resident a billfold-size card to use as proof of eligibility for half-price camping fees.

**Source:** SL 1975, ch 16, § 1; 1 SDR 30, effective October 13, 1974; 2 SDR 90, effective July 11, 1976; 3 SDR 73, effective April 25, 1977; 6 SDR 96, effective April 1, 1980; 7 SDR 69, effective January 25, 1981; 8 SDR 170, effective June 20, 1982; 9 SDR 147, effective May 22, 1983; 10 SDR 73, effective January 17, 1984; 10 SDR 76,



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10 SDR 102, effective July 1, 1984; 11 SDR 156, effective May 27, 1985; 13 SDR 128, effective March 22, 1987; 13 SDR 192, effective June 22, 1987; 14 SDR 14, effective August 6, 1987; 14 SDR 81, effective December 10, 1987; 14 SDR 114, effective March 9, 1988; 14 SDR 164, effective June 16, 1988; 15 SDR 139, effective March 20, 1989; 16 SDR 114, effective January 18, 1990; 16 SDR 135, effective February 18, 1990; 17 SDR 12, effective July 31, 1990; 17 SDR 139, effective March 21, 1991; 17 SDR 170, effective May 14, 1991; 17 SDR 188, effective June 13, 1991, and July 1, 1991; 18 SDR 98, effective December 12, 1991; 18 SDR 144, effective March 15, 1992; 19 SDR 82, effective December 7, 1992; 19 SDR 190, effective June 15, 1993; 20 SDR 150, effective March 23, 1994; 21 SDR 86, effective November 10, 1994; 21 SDR 148, effective March 6, 1995; 22 SDR 82, effective December 10, 1995; 22 SDR 89, effective December 26, 1995; 23 SDR 87, effective December 3, 1996; 23 SDR 197, effective May 27, 1997; 24 SDR 99, effective February 2, 1998; 24 SDR 107, effective February 26, 1998; 24 SDR 156, effective May 17, 1998; 25 SDR 108, effective February 28, 1999; 25 SDR 141, effective May 27, 1999; 26 SDR 41, effective September 28, 1999; 26 SDR 85, effective December 26, 1999; 26 SDR 117, effective March 16, 2000; 26 SDR 162, effective June 14, 2000; 27 SDR 49, effective November 16, 2000; 27 SDR 85, effective February 26, 2001; 28 SDR 103, effective January 30, 2002; 29 SDR 80, effective December 10, 2002; 30 SDR 99, effective December 22, 2003; 30 SDR 171, effective May 11, 2004; 31 SDR 62, effective November 4, 2004; 32 SDR 109, effective December 27, 2005; 32 SDR 128, effective January 31, 2006; 33 SDR 107, effective December 27, 2006; 33 SDR 180, effective May 7, 2007; 33 SDR 225, effective June 25, 2007; 34 SDR 179, effective December 24, 2007; 36 SDR 112, effective January

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11, 2010; 37 SDR 112, effective December 8, 2010; 38 SDR 101, effective December 5, 2011; 39 SDR 32, effective September 5, 2012; 39 SDR 100, effective December 3, 2012; 39 SDR 204, effective June 11, 2013; 40 SDR 113, effective December 16, 2013; 41 SDR 93, effective December 3, 2014.

**General Authority:** SDCL 41-17-1.1(7), 41-17-13.4.

**Law Implemented:** SDCL 41-2-24, 41-17-1.1(7), 41-17-13.4.

**41:03:04:13. Park facility use fees.** The fee for the use of the following state park facilities is:

- (1) Fort Sisseton or Pierson Ranch picnic shelter with kitchenette, \$50 per day;
- (2) Fort Sisseton south barracks, ~~\$300~~ \$500 for a period from 10:00 a.m. Friday to 6:00 p.m. Sunday, inclusive;
- (3) Fort Sisseton event tent -- on site, \$150 per day (must be rented for a minimum of two consecutive days); off-site, \$1,000 per day plus two dollars per mile transport fee for set up over 25 miles;
- (4) Fort Sisseton grounds for outdoor wedding, \$125 if park benches are used;
- (5) Lewis and Clark catamaran dry slip storage, ~~\$300~~ \$325 for a period from May 1 to September 30, inclusive. For seasonal slip rental beginning on or after July 15, the fee is \$60 plus two dollars per day. Temporary slip rental is five dollars per day;
- (6) Angostura catamaran dry slip storage, ~~\$150~~ \$175 for a period from May 1 to September 30, inclusive. For seasonal slip rental beginning on or after July 15, the fee is \$30 plus two dollars per day. Temporary slip rental is five dollars per day;
- (7) Palisades State Park event shelter located adjacent to the lodge, \$50 per dayday7; and
- (8) Good Earth State Park:

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(a) Visitor center (standard rates) -- Classroom A, \$100 for 2 hours, \$200 for 4 hours, \$400 for 8 hours; Classroom B (includes kitchen), \$200 for 2 hours, \$300 for 4 hours, \$600 for 8 hours; Full Classroom (A and B), \$250 for 2 hours, \$450 for 4 hours, \$900 for 8 hours;

(b) Visitor center (non-profit rates) -- Classroom A, \$30 for 2 hours, \$60 for 4 hours, \$120 for 8 hours; Classroom B (includes kitchen), \$60 for 2 hours, \$90 for 4 hours, \$180 for 8 hours; Full Classroom (A and B), \$75 for 2 hours, \$135 for 4 hours, \$270 for 8 hours;

(c) Picnic shelter special event fee -- \$100 for 4 hours; and \$200 for all-day (6:00 a.m. to 11:00 p.m. from May 1 to September 30, inclusive, and 6:00 a.m. to 9:00 p.m. from October 1 to April 30, inclusive);

(d) Wedding events -- include full classroom, amphitheater, outdoor patio, picnic shelter and special one-day event park entrance license for guests, \$1,500 for 1-49 people, \$2,000 for 50-100 people, \$2,500 for 101-149 people, \$3,000 for 150-200 people;

(e) Wedding event (ceremony only) -- picnic shelter or amphitheater and special one-day event park entrance license for guests for a maximum time of 2 hours, \$350 for 1-49 people, \$400 for 50-100 people, \$450 for 101-149 people, \$500 for 150-200 people.

**Source:** 36 SDR 112, effective January 11, 2010; 40 SDR 113, effective December 16, 2013; 41 SDR 93, effective December 3, 2014; 44 SDR 17, effective August 7, 2017.

**General Authority:** SDCL 41-17-1.1(1)(7).

**Law Implemented:** SDCL 41-2-24, 41-17-1.1(1)(7).

**41:04:06:05 Marking of closed nonmeandered bodies of water.** Any landowner who wishes to close the water overlying their flooded land on a nonmeandered waterbody must conspicuously mark the water as being closed to recreation use and notify the department within a reasonable time that they have done so.

**Source:**

**General Authority:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**Law Implemented:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**41:04:06:05.01 Placement of Department supplied signs.** If a landowner closes a portion of the nonmeandered waters overlying their land and a sign would provide conspicuous notice of the restricted areas, the landowner shall place a sign supplied by the Department of Game, Fish and Parks to mark the body of water closed. Department supplied signs shall be used to mark closed portions of frozen nonmeandered waters. Signs shall be placed in accordance with ARSD 41:04:06:05.03.

**Source:**

**General Authority:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**Law Implemented:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**41:04:06:05.02 Placement of buoys.** In situations in which a department supplied sign would be impractical or not provide conspicuous notice to the public of closed portions of nonmeandered waters, the landowner shall acquire and set buoys in compliance with ARSD 41:04:06:05.03.

**Source:**

**General Authority:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**Law Implemented:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**41:04:06:05.03 Specifications for sign placement and buoy standards for marking closed nonmeandered waters.**

(1) Signs and buoys must be placed no further apart than 660 feet.

(2) Buoys must be a red, spherical design consisting of a diameter not less than 14.5 inches and a length not less than 19.5 inches.

(3) Buoys must be marked with contrasting letters at least 3 inches tall stating "CLOSED."

(4) All property corner boundaries located in the water must be conspicuously marked with a sign or buoy.

**Source:**

**General Authority:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**Law Implemented:** SDCL 41-2-18(5), 41-23-5, 41-23-12.

**41:06:04:21. Mandatory submission of samples for chronic wasting disease testing.** Each successful elk hunter shall submit samples for chronic wasting disease testing for all elk harvested from any Custer State Park elk hunting unit.

**Source:** 39 SDR 10, effective August 1, 2012.

**Law Implemented:** SDCL 41-2-18(2).

**General Authority:** SDCL 41-2-18(2).

**41:06:47:01. Special Custer State Park antlerless elk hunting season established -- Number and type of licenses available -- Season dates.** The special Custer State Park antlerless elk hunting season is open from one-half hour before sunrise to one-half hour after sunset each day of the season and is restricted by chapter 41:06:07. No more than ~~20~~ 60 antlerless elk licenses may be issued for the special Custer State Park antlerless elk hunting season. The special Custer State Park antlerless elk hunting seasons are as follows:

(1) Unit CAE-CU1 is open for nine consecutive days beginning the Saturday following the close of CUE-CU1; and

(2) Unit CAE-CU2 is open for nine consecutive days beginning the Saturday following the close of CAE-CU1.

(3) Unit CAE-CU3: that portion of Custer State Park south of the R and D Pasture fence line is open for nine consecutive days beginning on the second Saturday following Thanksgiving;

(4) Unit CAE-CU4: that portion of Custer State Park south of the R and D Pasture fence line is open for nine consecutive days beginning on the Saturday following the close of CAE-CU3;

(5) Unit CAE-CU5: that portion of Custer State Park south of the R and D Pasture fence line is open for nine consecutive days beginning on the Saturday following the close of CAE-CU4;

(6) Unit CAE-CU6: that portion of Custer State Park south of the R and D Pasture fence line is open for nine consecutive days beginning on the Saturday following the close of CAE-CU5.

**Source:** 20 SDR 204, effective June 7, 1994; 42 SDR 146, effective May 5, 2016.

**General Authority:** SDCL 41-17-1.1(1)(4).

**Law Implemented:** SDCL 41-17-1.1(1)(4).

**41:06:56:03. Number and type of licenses.** ~~In Unit BHS-BH1, no more than one bighorn sheep license may be issued, valid for one ram bighorn sheep. In Unit BHS-BH2, no more than one bighorn sheep license may be issued, valid for one ram bighorn sheep.~~ No more than five ram bighorn sheep licenses may be issued for the Black Hills bighorn sheep hunting season. One bighorn sheep license may be issued for sale by auction pursuant to the procedures established in § 41:06:56:11, valid for one ram bighorn sheep. ~~The auction license is valid only in unit BHS-BH2.~~ In Unit BHS-ZZ1, no bighorn sheep licenses may be issued. However, an applicant for this unit shall accrue a preference point as provided in § 41:06:01:09.

**Source:** 26 SDR 162, effective June 14, 2000; 29 SDR 160, effective June 3, 2003; 30 SDR 171, effective May 11, 2004; 33 SDR 212, effective June 4, 2007; 34 SDR 297, effective June 4, 2008; 37 SDR 215, effective May 31, 2011; 38 SDR 213, effective June 19, 2012; 39 SDR 133, effective February 11, 2013; 40 SDR 175, effective February 11, 2014.

**General Authority:** SDCL 41-2-18(1)(2)(17).

**Law Implemented:** SDCL 41-2-18(1)(2)(17).

**41:07:03:03. Daily, possession, and length limit restrictions on special management waters -- Additional restrictions described.** Daily limit, possession limit, length limit, and additional restrictions on special management waters are described as follows:

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(1) Catfish may be taken without limit on the Grand, Moreau, Cheyenne, Belle Fourche, Bad, White, and Little Missouri Rivers; and in the inland waters of the Missouri River and its impoundments;

(2) In the waters of Lake Alvin and Nine Mile Creek from the Lake Alvin Dam to the Sioux River in Lincoln County, Lake Campbell in Campbell County, Murdo City Lake, Murdo Railroad Lake, and Richland Dam in Jones County, Sheridan Lake in Pennington County, Lake Hiddenwood in Walworth County, Lake Menno in Hutchinson County, Lake Mitchell in Davison County, Firesteel Creek above Lake Mitchell to Davison County Road No. 12 (Loomis Oil), Wilmarth Lake in Aurora County, Marindahl Lake and Lake Yankton in Yankton County, Tripp Lake in Hutchinson County, Rosehill Lake and Jones Lake in Hand County, Durkee Lake and Curlew Lake in Meade County, Burke Lake in Gregory County, Simon Lake in Potter County, Corsica Lake in Douglas County, Richmond Lake in Brown County, Lake Henry and East and West Heritage GPA ponds in Bon Homme County, and McCook Lake in Union County, New Underwood Lake in Pennington County, Stockade Lake and Bismarck Lake in Custer County, the minimum length limit for largemouth and smallmouth bass is 15 inches;

(3) In New Wall Dam in Pennington County, Newell Lake in Butte County, and Lake Waggoner in Haakon County, Clear Lake and Roy Lake in Marshall County, Reetz Lake, and Horseshoe Lake in Day County, only those largemouth and smallmouth bass less than 14 inches in length or 18 inches or greater in length may be taken, and of the largemouth and smallmouth bass taken daily no more than one may be 18 inches or greater in length;



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(4) The following special requirements pertain to the waters in the Black Hills Fish Management Area:

(a) The areas described in subsections (b), (c), and (d) are restricted to artificial lures only and the use or possession of worms, baitfish, salmon eggs, corn, marshmallows, insects, moldable scented bait or naturally-occurring or man-made food intended to be used as bait within 100 feet of the water in those areas is prohibited;

(b) Rapid Creek, including the Pactola Stilling Basin below Pactola Dam to the foot bridge at Placerville Camp and Upper and Lower Yates Ponds at Cheyenne Crossing, are restricted to catch and release;

(c) Rapid Creek in Rapid City from Jackson Boulevard upstream to Park Drive is restricted to catch and release;

(d) Spearfish Creek from Homestake Hydro Dam No. 2 to Maurice Dam is restricted to catch and release for rainbow trout. Other trout species may be retained within established limits; and

(e) Only one trout 14 inches or greater in length, regardless of species, may be taken daily. However, in Pactola Reservoir, no more than one lake trout or brook trout-lake trout (splake) cross 24 inches or greater in length may be taken daily;

(5) In inland waters the minimum length limit for muskellunge and northern-muskellunge (tiger) cross is 40 inches;

(6) The season on paddlefish is closed except as provided in §§ 41:07:05:02 and 41:07:06:03.01;

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(7) In inland waters, of the walleye, sauger, walleye-sauger hybrids, or combination thereof taken daily, no more than one may be 20 inches or greater in length, except as provided in subdivisions (10) and (11) of this section;

(8) In Lakes Francis Case and Sharpe, the minimum length limit for walleye, sauger, and walleye-sauger hybrids is 15 inches from September 1 to June 30, inclusive. However, in Lake Francis Case, length limits for walleye, sauger, and walleye-sauger hybrids do not apply to any angler while fishing through the ice from the northern, east-west Gregory-Charles Mix county line downstream to Fort Randall Dam, and such angler may not return or release to the water any walleye, sauger, or walleye-sauger hybrid caught;

(9) In Lake Mitchell including Firesteel Creek above Lake Mitchell to Davison County Road No. 12 (Loomis Oil), ~~Lake Poinsett~~, Richmond Lake, Pickerel Lake, Clear Lake (Marshall County), Roy Lake (Marshall County), Lake Enemy Swim, Elm Lake, Lake Angostura, Shadehill Reservoir, and from the Ft. Randall Dam downstream to the South Dakota-Nebraska state line on the Missouri River, the minimum length limit for walleye, sauger, and walleye-sauger hybrids is 15 inches;

(10) In Belle Fourche Reservoir (Orman Dam) and all waters contiguous thereto, including the terminal drop inlet canal, only those walleyes less than 15 inches in length or 18 inches or greater in length may be taken, and of the walleye taken daily no more than one may be 18 inches or greater in length;

(11) In Twin Lakes in Minnehaha County and Reetz Lake in Day County, the daily limit for walleye, sauger, or walleye-sauger hybrid is one, 28 inches or greater in length;

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(12) In Lynn and Middle Lynn Lakes in Day County, Opitz Lake in Day and Marshall Counties, Newell Lake in Butte County, and Curlew Lake in Meade County, the daily limit for walleye, sauger, walleye-sauger hybrids, or combination thereof is two and the minimum length limit is 15 inches;

(13) From the Ft. Randall Dam downstream to the South Dakota-Nebraska state line on the Missouri River, the daily limit for white bass is 15, possession limit 30.

**Source:** SL 1975, ch 16, § 1; 2 SDR 36, effective November 12, 1975; 4 SDR 31, effective November 27, 1977; 5 SDR 46, effective January 1, 1979; 6 SDR 60, effective January 1, 1980; 7 SDR 48, effective November 25, 1980; 8 SDR 58, effective November 30, 1981; 9 SDR 76, effective December 23, 1982; 10 SDR 48, effective November 22, 1983; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 80, effective December 16, 1984; 12 SDR 92, effective December 4, 1985; 13 SDR 68, effective December 11, 1986; 14 SDR 81, effective December 10, 1987; 15 SDR 88, effective December 18, 1988; 16 SDR 114, effective January 18, 1990; 17 SDR 87, effective December 10, 1990; 17 SDR 109, effective January 29, 1991; 18 SDR 98, effective December 12, 1991; 19 SDR 82, effective December 7, 1992; 19 SDR 108, effective January 26, 1993; 20 SDR 87, effective December 13, 1993; 21 SDR 102, effective December 8, 1994; 22 SDR 82, effective December 10, 1995; 23 SDR 87, effective December 3, 1996; 24 SDR 72, effective November 30, 1997; 25 SDR 85, effective December 21, 1998; 25 SDR 85, effective December 24, 1998; 26 SDR 85, effective December 26, 1999; 27 SDR 47, effective November 12, 2000; 28 SDR 44, effective October 3, 2001; 28 SDR 84, effective December 20, 2001; 28 SDR 166, effective June 4, 2002; 29 SDR 80, effective December 10, 2002; 29 SDR 107, effective

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February 3, 2003; 30 SDR 99, effective December 22, 2003; 30 SDR 115, effective February 4, 2004; 30 SDR 171, effective May 11, 2004; 31 SDR 89, effective December 27, 2004; 32 SDR 109, effective December 27, 2005; 33 SDR 107, effective December 27, 2006; 34 SDR 179, effective December 24, 2007; 35 SDR 184, effective February 2, 2009; 36 SDR 112, effective January 11, 2010; 37 SDR 112, effective December 8, 2010; 38 SDR 116, effective January 10, 2012; 39 SDR 100, effective December 3, 2012; 40 SDR 113, effective December 16, 2013; 41 SDR 107, effective January 5, 2015; 42 SDR 93, effective December 30, 2015; 43 SDR 89, effective December 29, 2016.

**General Authority:** SDCL 41-2-18(1)(2)(14)(15)(17).

**Law Implemented:** SDCL 41-2-18(1)(2)(14)(15)(17).

**41:08:06:02. Application -- Contents -- Submission.** A person ~~resident of this state~~ who desires a permit to hunt fox and coyote from an aircraft shall submit a completed aerial hunting application to the department in Pierre giving the person's ~~resident's~~ name, address, phone number, ~~resident~~ hunting license number, county or counties where hunting will occur, pilot certificate data, medical certificate data, and any other information requested on the application prepared by the department which the department deems necessary to comply with the provisions of SDCL chapter 41-8 and ARSD 41:08:06.

**Source:** 3 SDR 30, effective October 20, 1976; 3 SDR 87, effective June 26, 1977; 8 SDR 162, effective June 10, 1982; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 28 SDR 24, effective August 28, 2001.

**General Authority:** SDCL 41-2-18(2)(14).

**Law Implemented:** SDCL 40-36-9, 41-2-18(2)(14), 41-8-39.2.

**41:10:02:01. List of endangered birds.** Birds classified as endangered in the state are as follows

- (1) Peregrine falcon, *Falco peregrinus*;
- (2) Whooping crane, *Grus americana*;
- (3) Eskimo curlew, *Numenius borealis*;
- (4) Interior least tern Least Tern, ~~*Sterna antillarum athalassos*~~ *Sternula antillarum*.

**Source:** 4 SDR 57, effective March 16, 1978; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 30 SDR 21, effective August 25, 2003; 34 SDR 242, effective April 7, 2008.

**General Authority:** SDCL 34A-8-3, 41-2-18(1)(3).

**Law Implemented:** SDCL 34A-8-3, 41-2-18(1)(3).

**41:10:02:05. List of endangered fish.** Fish classified as endangered in the state are as follows:

- (1) Finescale dace, ~~*Phoxinus neogaeus*~~ *Chrosomus neogaeus*;
- (2) Banded killifish, *Fundulus diaphanus*;
- (3) Pallid sturgeon, *Scaphirhynchus albus*;
- (4) Blacknose shiner, *Notropis heterolepis*;
- (5) Sicklefin chub, *Macrhybopsis meeki*.

**Source:** 4 SDR 57, effective March 16, 1978; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 17 SDR 139, effective March 21, 1991; 22 SDR 155, effective May 22, 1996; 33 SDR 125, effective January 29, 2007; 34 SDR 242, effective April 7, 2008.

**General Authority:** SDCL 41-2-18(3).

**Law Implemented:** SDCL 34A-8-3, 41-2-18(3).

**41:10:02:06. List of threatened fish.** Fish classified as threatened in the state are as follows:

(1) Sturgeon chub, *Macrhybopsis gelida*;

(2) Northern redbelly dace, ~~*Phoxinus eos*~~ *Chrosomus eos*;

(3) Longnose sucker, *Catostomus catostomus*;

(4) ~~Pearl dace~~ Northern pearl dace, ~~*Margariscus margarita*~~ *Margariscus nachtriebi*.

**Source:** 4 SDR 57, effective March 16, 1978; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 17 SDR 139, effective March 21, 1991; 22 SDR 155, effective May 22, 1996; 33 SDR 125, effective January 29, 2007.

**General Authority:** SDCL 41-2-18(3).

**Law Implemented:** SDCL 34A-8-3, 41-2-18(3).