**41:09:04:03.  Waters closed to commercial and noncommercial taking of bait.** Notwithstanding the provisions of § 41:09:04:04, the following waters are closed to commercial and noncommercial taking of bait year-round:

(1)  Creeks, streams or rivers, permanent or temporary in the following counties and areas: Aurora, Beadle, Bon Homme, Brown, Clay, Davison, Edmunds, Faulk, Hand, Hanson, Hutchinson, Jerauld, Lincoln, McCook, McPherson, Miner, Minnehaha, Moody, Sanborn, Spink, Turner, Union, and Yankton Counties; with the exception of that portion of Lewis and Clark Lake and the Missouri River above Gavins Point Dam in Yankton and Bon Homme Counties for noncommercial take;

(2)  Beadle County: Lake Byron and Mud Lake;

(3)  Brookings County: Interstate Lake;

(4)  Butte County: Newell Lake;

(5)  Deuel County: Lake Alice;

(6)  Edmunds County: Mina Lake;

(7)  Pennington County: Pactola Lake, Sheridan lake, and Deerfield Lake; and

(8)  Yankton County: Lake Yankton.

**Source:** SL 1975, ch 16, § 1; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 156, effective May 27, 1985; 15 SDR 103, effective January 19, 1989; 16 SDR 114, effective January 18, 1990; 18 SDR 98, effective December 12, 1991; 19 SDR 82, effective December 7, 1992; 20 SDR 87, effective December 13, 1993; 21 SDR 102, effective December 8, 1994; 25 SDR 85, effective December 21, 1998; 27 SDR 47, effective November 12, 2000; 30 SDR 99, effective December 22, 2003; 31 SDR 89, effective December 27, 2004; 32 SDR 109, effective December 27, 2005; 34 SDR 179, effective December 24, 2007; 35 SDR 253, effective May 13, 2009; 37 SDR 112, effective December 8, 2010; 38 SDR 116, effective January 10, 2012; 39 SDR 33, effective Sept 5, 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; 47 SDR 27, effective September 15, 2020.

**General Authority:** SDCL 41-2-18(1)(2)(3)(4)(5)(21).

**Law Implemented:** SDCL 41-2-18(1)(2)(3)(4)(5)(21), 41-6-44, 41-6-45, 41-14-35.