

**41:07:01:02.01. South Dakota-Nebraska reciprocal access agreement.** Any person possessing a valid fishing license or permit issued by South Dakota or Nebraska, or who is legally exempted from license or permit requirements may fish from a boat or bank with a hook and line, bow and arrow (paddlefish and rough fish), legal spear, or legal spear gun, or legally snag (paddlefish) in the flowing portions of the Missouri River, including any backwater, slough, or chute that draws water from the Missouri River proper within the boundary of South Dakota adjacent to Nebraska. Such angler may also fish with a hook and line, bow and arrow (paddlefish and rough fish), legal spear, or legal spear gun, or legally snag (paddlefish) in the South Dakota portion of any oxbow lake that contains a common boundary with Nebraska. From Gavins Point dam to 0.6 mile downstream, a nonresident Nebraska fishing permit is required of any angler who is not a resident of Nebraska or South Dakota if fishing from a boat or either bank. Any reciprocal privilege granted herein is contingent upon a grant of a like privilege by the state of Nebraska to any hook and line angler who is licensed or exempted by the state of South Dakota. Any angler fishing in the South Dakota-Nebraska boundary waters shall follow the laws and regulations of the state in which the angler is licensed or the state in which the angler is fishing, whichever are more restrictive.

**Source:** 4 SDR 31, effective November 27, 1977; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 27 SDR 47, effective November 12, 2000; 34 SDR 179, effective December 24, 2007; 38 SDR 116, effective January 10, 2012.

**General Authority:** SDCL 41-2-18(1)(2)(5)(15).

**Law Implemented:** SDCL 41-2-18(1)(2)(5)(15), 41-8-40, 41-12-19.