



Living in Adams County



Open Range & Fencing

Agriculture is important to Adams County's history, economy and culture. When you live in our county, you are likely to have livestock for neighbors.

Idaho is an "open range" state. What does that mean? [Idaho Code 25-2118](#) defines "open range":

"Open range" means all uninclosed [sic] lands outside of cities, villages and herd districts, upon which cattle by custom, license, lease, or permit, are grazed or permitted to roam.

In other words, any land that is not within a city or herd district and is not fenced is open range. We don't have herd districts in Adams County. On open range, livestock may roam freely, including on roads and highways, without risk of owner liability.

No person owning, or controlling the possession of, any domestic animal running on open range, shall have the duty to keep such animal off any highway on such range, and shall not be liable for damage to any vehicle or for injury to any person riding therein, caused by a collision between the vehicle and the animal.



Livestock being herded from place to place on the road have the right-of-way. Slow down, be patient, and give 'em a break. If you hit a cow on the road, you're responsible.

Idaho is a "fence out" state. It is the duty of the landowner to fence livestock out of his/her property. It is not the responsibility of the livestock owner to fence in livestock.

Okay, now you know that if you don't want your neighbor's cows in your yard, it is up to you to fence them out. What kind of fence should you build? In Idaho, there is such a thing as a lawful fence, deemed adequate to keep out livestock, as described in [Idaho Code 35-102](#).

Maintaining the fence between you and your neighbor is a shared responsibility. Meet your neighbor at the midpoint along your shared property line. Reach across the fence and shake hands. Now, each of you repairs the left half of your fence as you face each other. [I.C. 35-104](#)

What if your property adjoins land managed by Bureau of Land Management (BLM), U.S. Forest Service (USFS) or Idaho Department of Lands (IDL)? Each agency has its own policy and regulations regarding boundary fencing.

IDL works with grazing lessees, allowing them to construct fences at lessees' expense between state endowment land and private property. In some instances, BLM may do likewise. But under federal regulations, USFS and its permittees are not required to keep permitted livestock off private land. If you want to keep cattle from roaming from USFS onto your land, you will need to construct and maintain the fence.

Avoid expensive mistakes. To make sure you know where your property line is and where to build your fence, contact a professional surveyor.