



CUSTER COUNTY SHERIFF'S OFFICE

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Open Range AKA Fence In vs Fence Out

Reference: South Dakota Codified Laws 40-28-5, 43-23-3 and 43-23-4

Open Range, also known as Fence In vs Fence Out, is an issue that the Custer County Sheriff's Office continues to receive questions about. The hope of this document is to simplify the topic and clear up any bad information that was spread in the past.

Q: What animals are covered?

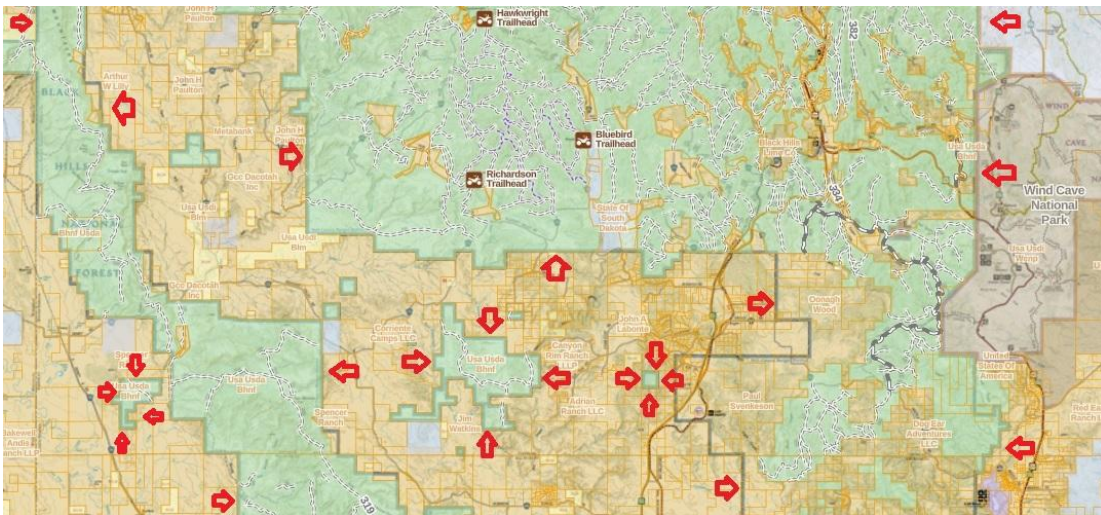
A: The law is only applicable to buffalo, horses, cattle, mules, goats and sheep.

Q: Where is the Harney National Forest?

A: The Harney National Forest was added to the Black Hills National Forest in 1954 and the name was dropped.

Q: What are the "exterior boundaries" of the Black Hills National Forest?

A: The exterior boundaries of the National Forest can be found on National Forest Maps including the Motor Vehicle Use Maps. There are several exterior boundaries, which are represented on the maps as bold lines. The bold lines are shaded towards the interior of the boundaries and the color varies by map. Please see below image for reference.



Q: Are the exterior boundaries the same as the Black Hills Fire Protection District?

A: No. The Black Hills Fire Protection boundaries are different and unrelated. SDCL 34-35-15

Q: What does this mean in layman's terms?

A: If you live within the exterior boundaries of the Black Hills National Forest and you do not want animals on your land or yard it is up to you to put up a fence to keep them out. If you live outside of the exterior boundaries it is your responsibility to keep your animals fenced in and off other people's properties.