



## Rosario Hecht Domínguez

Partner

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**When oil and gas companies confront complex royalty or severance-tax audits, demands, enforcement actions, or transactional questions, they turn to Rosario.**

Rosario advises operators and lessees on critical royalty and severance tax reporting, payment, and compliance issues, ranging from small, specialized operators to multi-national companies. She regularly represents payors operating on federal and tribal lands, and those operating under federal leases in the Pacific and Gulf of Mexico.

Clients rely on Rosario for her insights into regulatory rulemaking and her proactive guidance on compliance with new rules and policies. Over the course of her career, Rosario's work has included saving producers an estimated \$25 billion in costs.

Rosario guides clients through self-audits and in responding to governmental audits, such as data mining requests, compliance reviews, enforcement inquiries, and other investigations conducted by the Office of Natural Resources Revenue (ONRR), the Department of Justice, the Office of Inspector General, or State Departments of Audit.

She also assists clients identify and pursue refunds and challenge adverse assessments, such as orders to pay, orders to perform restructured accounting, civil penalty notices, denials of cost allocation and valuation proposals, and tribal delinquency notices.

Rosario brings a rare combination of computational acumen and creative thinking necessary to articulate comprehensive and novel legal arguments persuasive to regulators, tribes, and courts. Rosario regularly handles appeals before the ONRR Director, the Interior Board of Land Appeals, and federal district and appellate courts. She has also negotiated and resolved complex disputes with tribal authorities, including the Navajo Nation and Kiowa Tribe.

Clients appreciate Rosario's painstaking attention to detail as well as her ability to recognize opportunities for deductions and other cost valuation methodologies that may reduce financial obligations.

Before joining Holland & Hart, Rosario was a partner at Ryan Law Firm, where she led the firm's oil and gas royalty practice. She also practiced as an associate at Baker & Hostetler and Norton Rose Fulbright.

### PRACTICES

Environmental  
Environmental Litigation

### INDUSTRIES

Energy and Resources  
Oil and Gas  
Data Centers

### EDUCATION

University of Southern California Gould  
School of Law, J.D., 2011  
High Honors  
*Southern California Review of Law and  
Social Justice Journal*, Staff Member  
Yale University, B.A., 2007

### BAR ADMISSIONS

Colorado  
Montana  
Indiana  
California

### CLIENT RESULTS

## Audits & Investigations

- Successfully resolved numerous data mining reviews, compliance reviews, and audits conducted by the Office of Natural Resources Revenue (ONRR), the New Mexico Taxation and Revenue Department (NMTRD), and the Wyoming Department of Audit (WYDOA) relating to federal and Indian oil and gas royalty sales, volumes, valuation, and allowances.
- Obtained rare final audit report from WYDOA identifying no issues after completing audit of client's federal gas royalties and unbundling of arm's-length costs.
- Obtained rare closure, with no civil penalty assessment, of ONRR enforcement cases investigating offshore operator for claims of knowingly or willfully submitting inaccurate royalty reports, including transportation allowances, and knowingly or willfully maintaining false, misleading, or inaccurate information.
- Successfully resolved and settled various False Claims Act investigations conducted by the Department of Justice (e.g., alleging underpaid federal gas royalties and overclaimed allowances) and the Office of Inspector General (e.g., concerning unreported sales and transportation of oil condensate).
- Obtained rare Treasury waiver and referral of federal royalty debt back to the ONRR, resulting in immediate savings of over \$635,000, and secured Bureau of Ocean Energy Management (BOEM) approval of offshore lease assignments.
- Successfully resolved, cured, and settled various federal royalty and tribal (Kiowa) severance tax audits and obligations in corporate dissolution context.
- Successfully resolved, with no penalties assessed, tribal (Navajo) severance tax audit of New Mexico operator.
- Successfully resolved audit of national energy producer's private royalty payments and deductions on production from the Denver Basin.

## Administrative Appeals

- Obtained rare Interior Board of Land Appeals (IBLA) full vacatur, without remand, of ONRR Order to Perform Restructured Accounting and Pay demanding over \$20 million in federal offshore royalties and claiming “unreasonable” transportation allowance methodology. 200 IBLA 66 (2025).
- Obtained several IBLA opinions finding sufficient evidence suggesting ONRR acted in bad faith during its decision-making process and record compilation to deny appellants' royalty refund claims. IBLA-2020-398, IBLA-2021-176, IBLA-2022-69 (2023).
- Obtained rare ONRR withdrawal of Order to Report and Pay alleging improper transportation and processing allowances.
- Successfully resolved and settled appeal of Order to Report and Pay alleging improper deductions of non-arm's-length and arm's-

length transportation costs.

- Successfully settled appeal of Order to Perform Restructured Accounting and Pay and obtained release of all open reviews, audits, claims, and other federal and Indian royalty obligations for dissolving operator.

### Federal Court Appeals

- Successfully appealed and vacated ONRR Director Decision denying offshore transportation allowances. Obtained district court decision vacating modified royalty demands as arbitrary and capricious and remanding case to further address ONRR's non-compliance with Generally Accepted Government Auditing Standards.
- In a case of first impression, successfully appealed and vacated ONRR Director Decision denying transportation allowances. Obtained district court decision vacating unlawful expansion and modification of claims asserted in Order to Report and Pay. 421 F.Supp.3d 1213 (D.Wyo. 2019).
- Successfully appealed and set aside ONRR Director Decision valuing lessee's unprocessed gas using higher residue gas pricing. Obtained district court decision holding valuation of unprocessed gas sold at wellhead under percentage-of-proceed contracts as processed gas using residue gas pricing was arbitrary, capricious, plainly erroneous, and inconsistent with regulation. 410 F.Supp.3d 30 (D.D.C. 2019).
- In a case of first impression, successfully appealed district court decision denying federal royalty suit as time barred. Obtained reversal, determining proper application of the 180-day and 33-month periods for judicial review under 30 U.S.C. § 1724. 846 F.3d 1232 (D.C. Cir. 2017).

### Policy & Legislation

- Drafted H.R. 10005, "Expedited Appeals Review Act" (Rep. Hageman, 2024), to establish a process to expedite the review of appeals of certain decisions by the Department of the Interior.
- In appeal of ONRR action, obtained IBLA opinion prompting the Board to codify precedent that "when an appeal of a decision is filed, the bureau or office that issued the decision loses jurisdiction to modify, rescind, or supersede it." 90 Fed. Reg. 2332, 2364 (Jan. 10, 2025) (citing 196 IBLA 250, 253 (2021)).

### Transactions & Compliance

- Counseled operator in valuing gas and allowances for federal royalty reporting purposes in data center and Bitcoin mining contexts.
- Counseled North Dakota operator in interpreting revenue obligations under federal communitization agreement, involving unleased federal land.
- Counseled New Mexico operator in valuing potential liability for

unresolved federal royalty audits, civil penalty cases, and False Claims Act investigation as part of asset purchase consideration and negotiation.

- Counseled Wyoming operator in interpreting revenue obligations and establishing proper allocation methodology under Unit Operating Agreement, involving consolidated and expanded participating area and various consent and non-consent interests.

### **Class Actions**

- Successfully prevented discovery of non-party natural gas processor's confidential information in various class action suits.

### **Pro Bono**

- In 2013, obtained the Nation's first ruling holding transgender students must be allowed to use bathrooms that match their gender identities. Successfully appealed decision of Colorado school district to Colorado Civil Rights Division under Colorado's Anti-Discrimination Act, working with the Transgender Legal Defense & Education Fund.

### **PUBLICATIONS**

"Significant Industry Victory in Federal Offshore Royalty Dispute," *Oil and Gas Update*, September 2, 2025

"Oil & Gas Industry Welcomes New Era of Administrative Law," *Ryan Law Alerts*, 2024

"Contesting the Department of the Interior: Is Deferential Treatment Still Due?," *Foundation for Natural Resources and Energy Law*, 2024

"High-Stakes Royalty Litigation: Class Actions and Federal Royalty Demands," *Rocky Mountain Mineral Law Foundation*, 2018

### **SPEAKING ENGAGEMENTS**

"Recent Trends in Oil and Gas Royalty Appeals and Strategies to Overcome Judicial Deference," *Foundation for Natural Resources and Energy Law Special Institute of Federal and Indian Oil & Gas Royalty Valuation and Management*, 2024

"Contesting the Department of the Interior through Judicial Deference," *Texas Bar Association 9th Annual Oil & Gas Disputes Course*, 2024

"Implications of ONRR Regulations," *Independent Petroleum Association of America (IPAA) Midyear Meeting*, 2019

"Policy Summit on ONRR Rules: Program Regarding Recent Rulings in *Continental Resources, Inc. v. Jewell* and *State of California v. Department of the Interior*," *IPAA Policy Summit*, 2019

"The BLM's Final Rule Governing Rents and Fees for Solar and Wind Energy and the Future of the Renewable Energy Program," *Colorado Bar*

*Association Natural Resources & Energy Law Section, 2018*

"Crude Oil Valuation for Federal Leases," *Rocky Mountain Mineral Law Foundation (RMMLF) – Federal and Indian Oil & Gas Royalty Valuation and Management Conference, 2018*

"Regulatory and Legal Issues Relating to Federal Lands (Onshore and Offshore)," *Houston Bar Association – Oil, Gas, and Mineral Law Section, 2018*

"Marketable Condition – Update on IBLA/Court Cases; Current Issues," *Petroleum Accountants Society of Oklahoma-Tulsa Federal & Indian Royalty Compliance Workshop, 2017*

"ONRR Compliance: Unbundling, Audits, Order, and Increasing Civil Penalties," *Council of Petroleum Accountants Societies (COPAS Education Day), 2016*

## **RECOGNITION**

- *Best Lawyers: Ones to Watch® in America, Commercial Litigation, 2024-2026*
- *Attorney Intel, Top 25 Attorneys of Colorado, 2024*
- *Colorado Super Lawyers® Rising Stars, 2018, 2020, 2021*
- *Denver Business Journal, Top Women in Energy, 2019*
- *Denver Business Journal, Who's Who in Energy, 2018*
- *The Business Journals, Bizwoman Headliner in Law, 2018*
- *Denver Business Journal, 40 Under 40 Honoree, 2017*
- *American Bar Association, On the Rise – Top 40 Lawyer, 2017*
- *Law Week Colorado, Up and Coming Lawyer, 2016*
- *Chambers Diversity & Inclusion Awards: North America, Future Leader – Gender Diversity Award, 2016*

## **PROFESSIONAL AND CIVIC AFFILIATIONS**

- Colorado Bar Association, Member
- Colorado Women's Bar Association, Member
- Colorado LGBTQ+ Bar Association, Member