

NEWMONT MINING CORP /DE/  
Form 4  
November 02, 2004

**FORM 4** UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
DOW JOHN A S

2. Issuer Name and Ticker or Trading Symbol  
NEWMONT MINING CORP /DE/ [NEM]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
1700 LINCOLN STREET  
(Street)

3. Date of Earliest Transaction (Month/Day/Year)  
10/29/2004

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
Executive Vice President

DENVER, CO 80203

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
\_\_\_\_ Form filed by More than One Reporting Person

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	(A) or (D)	5. Amount or Price	6. Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	7. Nature of Ownership Form: Direct (D) or Indirect (I) (Instr. 4)
Common Stock, \$1.60 par value	10/29/2004		M	3,120	A	\$ 40.07	49,706	D
Common Stock, \$1.60 par value	10/29/2004		S	3,120	D	\$ 46.6	46,586	D
Common Stock, \$1.60 par value	10/29/2004		M	3,120	A	\$ 39.94	49,706	D

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Common Stock, \$1.60 par value	10/29/2004	S	3,120	D	\$ 46.6	46,586	D
Common Stock, \$1.60 par value	10/29/2004	M	15,000	A	\$ 28.56	61,586	D
Common Stock, \$1.60 par value	10/29/2004	S	15,000	D	\$ 46.6	46,586	D
Common Stock, \$1.60 par value	10/29/2004	M	2,500	A	\$ 23.99	49,086	D
Common Stock, \$1.60 par value	10/29/2004	S	2,500	D	\$ 46.6	46,586	D
Common Stock, \$1.60 par value	10/29/2004	M	9,999	A	\$ 28.11	56,585	D
Common Stock, \$1.60 par value	10/29/2004	S	6,960	D	\$ 46.6	49,625	D
Common Stock, \$1.60 par value	10/29/2004	S	1,500	D	\$ 46.69	48,125	D
Common Stock, \$1.60 par value	10/29/2004	S	1,539	D	\$ 46.67	46,586 <sup>(6)</sup>	D

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(*e.g.*, puts, calls, warrants, options, convertible securities)

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1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)		
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 40.07	10/29/2004		M	3,120	<u>(1)</u>	11/16/2004	Common stock	3,120
Employee Stock Option (right to buy)	\$ 39.94	10/29/2004		M	3,120	<u>(2)</u>	05/17/2005	Common Stock	3,120
Employee Stock Option (right to buy)	\$ 28.56	10/29/2004		M	15,000	<u>(3)</u>	05/14/2012	Common Stock	15,000
Employee Stock Option (right to buy)	\$ 23.99	10/29/2004		M	2,500	<u>(4)</u>	11/20/2012	Common Stock	2,500
Employee Stock Option (right to buy)	\$ 28.11	10/29/2004		M	9,999	<u>(5)</u>	05/06/2013	Common Stock	9,999

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
DOW JOHN A S 1700 LINCOLN STREET DENVER, CO 80203			Executive Vice President	

## Signatures

Ardis Young, Assistant Secretary, as  
attorney-in-fact

11/02/2004

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The option vested in two equal annual installments on November 16, 1995 and 1996.
- (2) The option vested in two equal annual installments on May 17, 1996 and 1997.
- (3) The option vests in four equal annual installments beginning on May 14, 2003, 2004, 2005 and 2006.
- (4) The option vests in four equal annual installments beginning on November 20, 2003, 2004, 2005 and 2006.
- (5) The option vests in three equal annual installments beginning on May 6, 2004, 2005 and 2006.
- (6) As of October 31, 2004 the reporting person held 1,526 shares of Newmont Mining Corporation common stock in his 401-K Plan.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.