

NEWMONT MINING CORP /DE/  
Form 4  
November 12, 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 \*  
MURDY WAYNE W

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)  
11/10/2004

Director  10% Owner  
 Officer (give title below)  Other (specify below)  
Chairman and CEO

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 (Instr. 4)
Common Stock, \$1.60 par value	11/10/2004		M	25,000	A	\$ 18.19	143,764	D
Common Stock, \$1.60 par value	11/10/2004		S	21,000	D	\$ 48.35	122,764	D
Common Stock, \$1.60 par value	11/10/2004		S	4,000	D	\$ 48.25	118,764	D

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Common Stock, \$1.60 par value	11/10/2004	M	75,000	A	\$ 19.85	193,764	D
Common Stock, \$1.60 par value	11/10/2004	S	5,000	D	\$ 48.34	188,764	D
Common Stock, \$1.60 par value	11/10/2004	S	15,000	D	\$ 48.33	173,764	D
Common Stock, \$1.60 par value	11/10/2004	S	46,500	D	\$ 48.29	127,264	D
Common Stock, \$1.60 par value	11/10/2004	S	3,000	D	\$ 48.27	124,264	D
Common Stock, \$1.60 par value	11/10/2004	S	5,000	D	\$ 48.26	119,264	D
Common Stock, \$1.60 par value	11/10/2004	S	500	D	\$ 48.25	118,764 <sup>(1)</sup> <u>(2)</u>	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)

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)	\$ 18.19	11/10/2004	M	25,000	<u>(3)</u>	01/26/2009	Common Stock	25,000
Employee Stock Option (right to buy)	\$ 19.85	11/10/2004	M	75,000	<u>(4)</u>	09/15/2009	Common Stock	75,000

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
MURDY WAYNE W 1700 LINCOLN STREET DENVER, CO 80203	X		Chairman and CEO	

## Signatures

Ardis Young, Assistant Secretary, as attorney-in-fact 11/12/2004

\*\*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) As of October 31, 2004 the reporting person held 1,879 shares of Newmont Mining Corporation common stock in his 401-K Plan.
- (2) Reporting person also holds 175 shares of Newmont Mining Corporation common stock for his son indirectly and 175 shares of Newmont Mining Corporation common stock for his daughter indirectly.
- (3) Option vested in two equal installments beginning January 26, 2000 and 2001.
- (4) Option vested in four equal installments beginning September 15, 2000, 2001, 2002 and 2003.

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.