

BANKS BRITT D  
Form 4  
November 15, 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 \*  
BANKS BRITT D

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)  
11/11/2004

\_\_\_\_ Director  
 Officer (give title below) \_\_\_\_\_ 10% Owner  
\_\_\_\_\_ Other (specify below)  
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)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)
				(A) or (D)	Price		
Common Stock, \$1.60 par value	11/11/2004		M	3,500	A \$ 21.69	16,756	D
Common Stock, \$1.60 par value	11/11/2004		S	3,500	D \$ 48.53	13,256	D
Common Stock, \$1.60 par value	11/11/2004		M	5,000	A \$ 19.85	18,256	D

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Common Stock, \$1.60 par value	11/11/2004	S	5,000	D	\$ 48.53	13,256	D
Common Stock, \$1.60 par value	11/11/2004	M	3,500	A	\$ 22.47	16,756	D
Common Stock, \$1.60 par value	11/11/2004	S	3,500	D	\$ 48.55	13,256	D
Common Stock, \$1.60 par value	11/11/2004	M	2,812	A	\$ 21.03	16,068	D
Common Stock, \$1.60 par value	11/11/2004	S	437	D	\$ 48.53	15,631	D
Common Stock, \$1.60 par value	11/11/2004	S	2,375	D	\$ 48.55	13,256	D
Common Stock, \$1.60 par value	11/11/2004	M	3,125	A	\$ 23.67	16,381	D
Common Stock, \$1.60 par value	11/11/2004	S	3,125	D	\$ 48.55	13,256	D
Common Stock, \$1.60 par value	11/11/2004	M	2,500	A	\$ 23.99	15,756	D
Common Stock, \$1.60 par value	11/11/2004	S	1,000	D	\$ 48.55	14,756	D
Common Stock, \$1.60 par value	11/11/2004	S	1,500	D	\$ 48.53	13,256 <sup>(7)</sup>	D

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

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

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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)	8. Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 21.69	11/11/2004		M	3,500	<u>(1)</u> 11/17/2008	Common Stock	3,500
Employee Stock Option (right to buy)	\$ 19.85	11/11/2004		M	5,000	<u>(2)</u> 09/15/2009	Common Stock	5,000
Employee Stock Option (right to buy)	\$ 22.47	11/11/2004		M	3,500	<u>(3)</u> 11/17/2009	Common Stock	3,500
Employee Stock Option (right to buy)	\$ 21.03	11/11/2004		M	2,812	<u>(4)</u> 05/15/2011	Common Stock	2,812
Employee Stock Option (right to buy)	\$ 23.67	11/11/2004		M	3,125	<u>(5)</u> 11/12/2011	Common Stock	3,125
Employee Stock	\$ 23.99	11/11/2004		M	2,500	<u>(6)</u> 11/20/2012	Common Stock	2,500

Option  
(right to  
buy)

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
BANKS BRITT D 1700 LINCOLN STREET DENVER, CO 80203			Vice President	

## Signatures

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

11/15/2004

\_\_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 four equal annual installments beginning November 17, 1999, 2000, 2001 and 2002.
- (2) The option vested in four equal annual installments beginning September 15, 2000, 2001, 2002 and 2003.
- (3) The option vested in four equal annual installments beginning November 17, 2000, 2001, 2002 and 2003.
- (4) The option vested in four equal annual installments beginning September 15, 2002, 2003, 2004 and 2005.
- (5) The option vests in four equal annual installments beginning November 12, 2002, 2003, 2004 and 2005.
- (6) The option vests in four equal annual installments beginning November 20, 2003, 2004, 2005 and 2006.
- (7) As of October 31, 2004 the reporting person held 2,564 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.  
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