#### NEWMONT MINING CORP /DE/

Form 4

November 09, 2004

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

OMB APPROVAL

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if no longer subject to Section 16. Form 4 or Form 5

obligations

Check this box

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

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

**SECURITIES** 

may continue.

See Instruction

30(h) of the Investment Company Act of 1940

1(b).

(Print or Type Responses)

| (Print or Type I   | Responses)                        |                |   |              |                   |  |   |   |   |  |  |  |
|--|-----------------------------------|----------------|---|--------------|-------------------|--|---|---|---|--|--|--|
| HANSEN BRUCE D Symbol  |                                   |                | MONT MINING CORP /DE/                               |              |                   |  | 5. Relationship of Reporting Person(s) to Issuer  (Check all applicable)  |   |   |  |  |  |
| (Last)       (First)       (Middle)       3. Date of (Month/E)         1700 LINCOLN STREET       11/05/2 |                                   |                |   | ransaction   |                   |  | Director 10% Owner Officer (give title Other (specify below) below)  Senior Vice President  |   |   |  |  |  |
|  |                                   |                | Amendment, Date Original<br>Month/Day/Year)         |              |                   |  | 6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person Form filed by More than One Reporting |   |   |  |  |  |
| DENVER, O  | CO 80203                          |                |   |              |                   |  |   | Person  |   |  |  |  |
| (City)   | (State)                           | (Zip)          | Tabl  | le I - Non-I | <b>Derivative</b> | Securi   | ties Acqu   | quired, Disposed of, or Beneficially Owned                        |   |  |  |  |
| 1.Title of<br>Security<br>(Instr. 3)   | 2. Transaction I<br>(Month/Day/Ye | ear) Execution | Execution Date, if Transaction(A) or Disposed of (I |              | of (D)            | 5. Amount of<br>Securities<br>Beneficially<br>Owned<br>Following<br>Reported<br>Transaction(s) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)  | 7. Nature of<br>Indirect<br>Beneficial<br>Ownership<br>(Instr. 4) |   |  |  |  |
| Common   |                                   |                |   | Code V       | Amount            | or<br>(D)  | Price   | (Instr. 3 and 4)  |   |  |  |  |
| Stock,<br>\$1.60 par<br>value  | 11/05/2004                        |                |   | M            | 8,067             | A  | \$<br>28.79   | 52,809  | D |  |  |  |
| Common<br>Stock,<br>\$1.60 par<br>value  | 11/05/2004                        |                |   | S            | 8,047             | D  | \$ 48.6   | 44,762  | D |  |  |  |
| Common<br>Stock,<br>\$1.60 par<br>value  | 11/05/2004                        |                |   | S            | 20                | D  | \$<br>48.57   | 44,742  | D |  |  |  |

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| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | M | 7,598  | A | \$<br>32.56 | 52,340 | D |
|---|------------|---|--------|---|-------------|--------|---|
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 2,018  | D | \$ 48.6     | 50,322 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 5,580  | D | \$<br>48.52 | 44,742 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | M | 10,000 | A | \$<br>28.32 | 54,742 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 480    | D | \$<br>48.57 | 54,262 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 1,100  | D | \$<br>48.56 | 53,162 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 2,000  | D | \$<br>48.55 | 51,162 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 1,400  | D | \$<br>48.54 | 49,762 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 4,400  | D | \$<br>48.53 | 45,362 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 620    | D | \$<br>48.52 | 44,742 | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | M | 7,500  | A | \$<br>21.69 | 52,242 | D |
|   | 11/05/2004 | S | 4,200  | D |             | 48,042 | D |

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| Common<br>Stock,<br>\$1.60 par<br>value |            |   |        |   | \$<br>48.52   |                  |   |
|---|------------|---|--------|---|---------------|------------------|---|
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 3,300  | D | \$<br>48.51 4 | 4,742            | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | M | 35,000 | A | \$<br>18.19 7 | 9,742            | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 9,100  | D | \$<br>48.51 7 | 0,642            | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 25,200 | D | \$ 48.5 4     | 5,442            | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 600    | D | \$<br>48.49 4 | 4,842            | D |
| Common<br>Stock,<br>\$1.60 par<br>value | 11/05/2004 | S | 100    | D | \$<br>48.48 4 | 4,742 <u>(6)</u> | D |

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<br>Derivative<br>Security<br>(Instr. 3) | 2.<br>Conversion<br>or Exercise<br>Price of<br>Derivative<br>Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed<br>Execution Date, if<br>any<br>(Month/Day/Year) | 4.<br>Transac<br>Code<br>(Instr. 8 | ctio<br>8) | Derivative<br>Securities<br>Acquired (A)<br>or Disposed of<br>(D)<br>(Instr. 3, 4,<br>and 5) |     | 6. Date Exercisable and<br>Expiration Date<br>(Month/Day/Year) |                    | 7. Title and Amount of<br>Underlying Securities<br>(Instr. 3 and 4) |                        |
|---|---|--------------------------------------|---|------------------------------------|------------|--|-----|--|--------------------|---|------------------------|
|   |   |                                      |   | Code                               | V          | (A)  | (D) | Date<br>Exercisable  | Expiration<br>Date | Title   | Amount<br>or<br>Number |

|  |          |            |   |        |            |            |                 | of Shares |
|--|----------|------------|---|--------|------------|------------|-----------------|-----------|
| Employee<br>Stock<br>Option<br>(right to<br>buy) | \$ 28.79 | 11/05/2004 | M | 8,067  | <u>(1)</u> | 07/01/2005 | Common<br>Stock | 8,067     |
| Employee<br>Stock<br>Option<br>(right to<br>buy) | \$ 32.56 | 11/05/2004 | M | 7,598  | (2)        | 07/01/2006 | Common<br>Stock | 7,598     |
| Employee<br>Stock<br>Option<br>(right to<br>buy) | \$ 28.32 | 11/05/2004 | M | 10,000 | <u>(3)</u> | 05/19/2008 | Common<br>Stock | 10,000    |
| Employee<br>Stock<br>Option<br>(right to<br>buy) | \$ 21.69 | 11/05/2004 | M | 7,500  | <u>(4)</u> | 11/17/2008 | Common<br>Stock | 7,500     |
| Employee<br>Stock<br>Option<br>(right to<br>buy) | \$ 18.19 | 11/05/2004 | M | 35,000 | <u>(5)</u> | 01/26/2009 | Common<br>Stock | 35,000    |

# **Reporting Owners**

| Reporting Owner Name / Address | Relationships |           |         |       |  |  |  |  |
|--------------------------------|---------------|-----------|---------|-------|--|--|--|--|
|                                | Director      | 10% Owner | Officer | Other |  |  |  |  |

HANSEN BRUCE D 1700 LINCOLN STREET DENVER, CO 80203

Senior Vice President

# **Signatures**

Ardis Young, Assistant Secretary, as attorney-in-fact 11/09/2004

\*\*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 installments beginning July 1, 1996, 1997, 1998 and 1999.
- (2) The option vested in four equal installments beginning July 1, 1997, 1998, 1999 and 2000.

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- (3) The option vested in four equal installments on June 19, 1999, 2000, 2001 and 2002.
- (4) The option vested in four equal installments on November 17, 1999, 2000, 2001 and 2002.
- (5) The option vested in four equal installments on January 26, 2000, 2001, 2002 and 2003.
- (6) As of October 31, 2004 the reporting person held 5,394 shares of Newmont Mining Corporation common stock, indirectly, 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.