#### Edgar Filing: NEWMONT MINING CORP /DE/ - Form 4

NEWMONT MINING CORP /DE/ Form 4 November 12, 2004 FORM 4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549 Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations

### 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 may continue. 30(h) of the Investment Company Act of 1940 See Instruction

(Print or Type Responses)

1(b).

ENOS THOMAS L Symbol			MONT MINING CORP /DE/				5. Relationship of Reporting Person(s) to Issuer (Check all applicable)				
(Last) 1700 LINC	(First) OLN STREET	(Middle)	3. Date of Earliest Transaction (Month/Day/Year) 11/11/2004					Director 10% Owner X Officer (give title Other (specify below) Vice President			
	(Street)		4. If Amendment, Date Original Filed(Month/Day/Year)					6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person			
DENVER, CO 80203								Form filed by More than One Reporting Person			
(City)	(State)	(Zip)	Tabl	e I - Non-D	erivative	Secur	ities Acq	uired, Disposed o	f, or Beneficial	ly Owned	
1.Title of Security (Instr. 3)	2. Transaction Dat (Month/Day/Year)	) Execution any	med on Date, if Day/Year)	Code (Instr. 3, 4 and 5)		d of (D)	5. Amount of Securities Beneficially Owned Following	•	ndirect (I) Ownership		
Common				Code V	Amount	(A) or (D)	Price	Reported Transaction(s) (Instr. 3 and 4)			
Stock, \$1.60 par value	11/11/2004			М	780	Α	\$ 40.07	23,642	D		
Common Stock, \$1.60 par value	11/11/2004			S	780	D	\$ 48.37	22,862 <u>(2)</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 SEC 1474 information contained in this form are not (9-02)

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## 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. Transacti Code (Instr. 8)	5. Number onof 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. F Der Sec (Ins
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	
Employee Stock Option (right to buy)	\$ 40.07	11/11/2004		М	780	<u>(1)</u>	11/16/2004	Common Stock	780	

## **Reporting Owners**

Reporting Owner Name / Address		Rela		
Reporting o wher Funct / Functions	Director 10% Owner O		Officer	Other
ENOS THOMAS L 1700 LINCOLN STREET DENVER, CO 80203		Vice President		
Signatures				
Ardis Young, Assistant Secretary, attorney-in-fact				
<b>**</b> 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) Options vested in two equal installments beginning on November 16, 1995 and 1996.
- (2) As of October 31, 2004 the reporting person held 1,475 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.