

Ball Russell David  
Form 4  
November 15, 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  
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

## OMB APPROVAL

OMB  
Number: 3235-0287  
Expires: January 31,  
2005  
Estimated average  
burden hours per  
response... 0.5

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Ball Russell David

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)  
11/12/2004

\_\_\_\_ Director \_\_\_\_ 10% Owner  
\_\_X\_\_ Officer (give title \_\_\_\_ Other (specify  
below) below)  
V.P. and Controller

DENVER, CO 80203

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  
\_\_\_\_ 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)
Common Stock, \$1.60 par value	11/12/2004		M	470	A \$ 40.44	4,274	D
Common Stock, \$1.60 par value	11/12/2004		S	470	D \$ 48.95	3,804	D
Common Stock, \$1.60 par value	11/12/2004		M	500	A \$ 31.75	4,304	D

Edgar Filing: Ball Russell David - Form 4

Common Stock, \$1.60 par value	11/12/2004	S	500	D	\$ 48.92	3,804	D
Common Stock, \$1.60 par value	11/12/2004	M	750	A	\$ 28.32	4,554	D
Common Stock, \$1.60 par value	11/12/2004	S	600	D	\$ 48.94	3,954	D
Common Stock, \$1.60 par value	11/12/2004	S	150	D	\$ 48.95	3,804	D
Common Stock, \$1.60 par value	11/12/2004	M	2,000	A	\$ 21.69	5,804	D
Common Stock, \$1.60 par value	11/12/2004	S	2,000	D	\$ 48.92	3,804	D
Common Stock, \$1.60 par value	11/12/2004	M	1,000	A	\$ 22.47	4,804	D
Common Stock, \$1.60 par value	11/12/2004	S	1,000	D	\$ 48.92	3,804	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.**

SEC 1474  
(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	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. D
--	--	--------------------------------------	--	--------------------------------	--	--	---	------

# Edgar Filing: Ball Russell David - Form 4

(D)  
(Instr. 3, 4,  
and 5)

			Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 40.44	11/12/2004	M			470	<u>(1)</u>	11/15/2005	Common Stock	470
Employee Stock Option (right to buy)	\$ 31.75	11/12/2004	M			500	<u>(2)</u>	11/18/2007	Common Stock	500
Employee Stock Option (right to buy)	\$ 28.32	11/12/2004	M			750	<u>(3)</u>	05/19/2008	Common Stock	750
Employee Stock Option (right to buy)	\$ 21.69	11/12/2004	M			2,000	<u>(4)</u>	11/17/2008	Common Stock	2,000
Employee Stock Option (right to buy)	\$ 22.47	11/12/2004	M			1,000	<u>(5)</u>	11/17/2009	Common Stock	1,000

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Ball Russell David 1700 LINCOLN STREET DENVER, CO 80203			V.P. and Controller	

## 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 two equal annual installments beginning November 15, 1996 and 1997.

(2) The option vested in two equal annual installments beginning November 18, 1998 and 1999.

(3) The option vested in two equal annual installments beginning May 19, 1999 and 2000.

(4) The option vested in two equal annual installments beginning November 17, 1999 and 2000.

(5) The option vested in two equal annual installments beginning November 17, 2000 and 2001.

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.