

NEWMONT MINING CORP /DE/  
Form 4  
November 06, 2007

**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 \*  
**HARQUAIL 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)  
11/02/2007

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
Executive 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)	(A) or (D)	5. Amount or Price	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	11/02/2007		M	10,000	A	\$ 28.56	67,593	D	
Common Stock, \$1.60 par value	11/02/2007		S	10,000	D	11	57,593	D	
Common Stock, \$1,60 par value	11/02/2007		M	10,000	A	\$ 23.99	67,593	D	

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Common Stock, \$1.60 par value	11/02/2007	S	10,000	D	Ⓛ	57,593	D
Common Stock, \$1.60 par value	11/02/2007	M	10,000	A	\$ 28.11	67,593	D
Common Stock, \$1.60 par value	11/02/2007	S	10,000	D	Ⓛ	57,593	D
Common Stock, \$1.60 par value	11/02/2007	M	10,000	A	\$ 40.43	67,593	D
Common Stock, \$1.60 par value	11/02/2007	S	10,000	D	Ⓛ	57,593	D
Common Stock, \$1.60 par value	11/02/2007	M	6,666	A	\$ 38.05	64,259	D
Common Stock, \$1.60 par value	11/02/2007	S	6,666	D	Ⓛ	57,593	D
Common Stock, \$1.60 par value	11/02/2007	S	5,700	D	\$ 50.5	51,893 <sup>(2)</sup>	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)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)
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(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)	\$ 28.56	11/02/2007	M			10,000	<u>(3)</u>	05/14/2012	Common Stock	10,000
Employee Stock Option (right to buy)	\$ 23.99	11/02/2007	M			10,000	<u>(4)</u>	11/20/2012	Common Stock	10,000
Employee Stock Option (right to buy)	\$ 28.11	11/02/2007	M			10,000	<u>(5)</u>	05/06/2013	Common Stock	10,000
Employee Stock Option (right to buy)	\$ 40.43	11/02/2007	M			10,000	<u>(6)</u>	04/27/2014	Common Stock	10,000
Employee Stock Option (right to buy)	\$ 38.05	11/02/2007	M			6,666	<u>(7)</u>	04/27/2015	Common Stock	6,666

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
HARQUAIL DAVID 1700 LINCOLN STREET DENVER, CO 80203			Executive Vice President	

## Signatures

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

11/06/2007

\_\_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 price per share ranged from \$49.70 to \$50.01..
- (2) As of October 31, 2007 the reporting person held 1,486 shares of Newmont Mining Corporation common stock in his 401-K Plan.
- (3) The options vested in four equal annual installments beginning May 14, 2003, 2004, 2005 and 2006.
- (4) The options vested in four equal annual installments beginning November 20, 2003, 2004, 2005 and 2006.
- (5) The options vested in three equal annual installments beginning May 6, 2004, 2005 and 2006.
- (6) The options vested in three equal annual installments beginning April 27, 2005, 2006 and 2007.
- (7) The options vests in three equal annual installments beginning April 27, 2006, 2007 and 2008.

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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