

NEWMONT MINING CORP /DE/
Form 4
November 08, 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 *
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)
11/06/2007

____ 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) | 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 | 11/06/2007 | | M | 6,666 | A \$ 45.16 | 27,586 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | | S | 1,000 | D \$ 53.99 | 26,586 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | | S | 466 | D \$ 54 | 26,120 | D |

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| | | | | | | | |
|--------------------------------|------------|---|-------|---|----------|--------------------------------------|---|
| Common Stock, \$1.60 par value | 11/06/2007 | S | 200 | D | \$ 54.01 | 25,920 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | S | 300 | D | \$ 54.02 | 25,620 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | S | 1,000 | D | \$ 54.03 | 24,620 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | S | 700 | D | \$ 54.04 | 23,920 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | S | 300 | D | \$ 54.05 | 23,620 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | S | 900 | D | \$ 54.08 | 22,720 | D |
| Common Stock, \$1.60 par value | 11/06/2007 | S | 1,800 | D | \$ 54.09 | 20,920 ⁽¹⁾ ₍₂₎ | 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 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. D S (1) |
|--------------------------------------------|--------------------------------------------------------|--------------------------------------|----------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------------|------------|
| | | | | | Code V (A) (D) | Title | | |

| | | | | | | Date Exercisable | Expiration Date | | Amount or Number of Shares |
|--------------------------------------------------|----------|------------|--|---|-------|---------------------|--------------------|-----------------|----------------------------------------|
| Employee Stock Option (right to buy) | \$ 45.16 | 11/06/2007 | | M | 6,666 | <u>(3)</u> | 10/26/2015 | Common Stock | 6,666 |

Reporting Owners

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

Signatures

| | |
|----------------------------------------------------------|------------|
| Ardis Young, Assistant Secretary, as attorney-in-fact | 11/08/2007 |
| **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) As of October 31, 2007 the reporting person held 3,452 shares of Newmont Mining Corporation common stock in his 401-K Plan.
- (2) This is to report the last ten transactions.
- (3) The options vests in three equal annual installments beginning October 26, 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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