

Ball Russell David  
Form 4  
November 19, 2009

**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 \*  
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)  
 Director  10% Owner  
 Officer (give title below)  Other (specify below)  
Executive Vice President & CFO

(Last) (First) (Middle)  
6363 SOUTH FIDDLERS GREEN  
CIRCLE  
  
(Street)

3. Date of Earliest Transaction (Month/Day/Year)  
11/18/2009

GREENWOOD  
VILLAGE, CO 80111

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	11/18/2009		M	1,350	A \$ 23.67	19,605	D
Common Stock, \$1.60 par value	11/18/2009		S	1,350	D \$ 53.2359 <u>(1)</u>	18,255	D
Common Stock,	11/18/2009		M	1,350	A \$ 28.56	19,605	D

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\$1.60 par value Common Stock, \$1.60 par value	11/18/2009	S	1,350	D	\$ 53.24	18,255	D
Common Stock, \$1.60 par value	11/18/2009	M	2,500	A	\$ 23.99	20,755	D
Common Stock, \$1.60 par value	11/18/2009	S	2,500	D	\$ 53.26	18,255	D
Common Stock, \$1.60 par value	11/18/2009	S	905	D	\$ 53.2489 (2)	17,350 (3)	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. Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 23.67	11/18/2009		M	1,350	(4) 11/12/2011	Common Stock	1,350
Employee Stock	\$ 28.56	11/18/2009		M	1,350	(5) 05/14/2012	Common Stock	1,350

Option  
(right to  
buy)

Employee  
Stock

Option (right to buy)	\$ 23.99	11/18/2009	M	2,500	(6)	11/20/2012	Common Stock	2,500
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## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Ball Russell David 6363 SOUTH FIDDLERS GREEN CIRCLE GREENWOOD VILLAGE, CO 80111			Executive Vice President & CFO	

## Signatures

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

11/19/2009

\_\_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).
- This transaction was executed in multiple trades at prices of \$53.23 and \$53.24. The price reported above reflects the weighted average
- (1) sale price. The reporting person undertakes to provide (upon request by the SEC staff, the issuer, or a security holder of the issuer) full information regarding the number of shares sold at each separate price).
  - (2) This transaction was executed in multiple trades at prices of \$53.24 and \$53.25. The price reported above reflects the weighted average sale price. The reporting person undertakes to provide (upon request by the SEC staff, the issuer, or a security holder of the issuer) full information regarding the number of shares sold at each separate price).
  - (3) As of September 30, 2009 the reporting person held 1,254 shares of Newmont Mining Corporation common stock in his 401-K plan.
  - (4) Options became exercisable in three annual installments beginning November 12, 2002, November 12, 2003, November 12, 2004.
  - (5) Options became exercisable in three annual installments beginning May 14, 2003, May 14, 2004, May 14, 2005.
  - (6) Options became exercisable in three annual installments beginning November 20, 2003, November 20, 2004, November 20, 2005.

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.