

Ottewell David A.  
 Form 4  
 September 13, 2012

**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 \*  
 Ottewell David A.

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)

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

\_\_\_ Director \_\_\_ 10% Owner  
 \_\_\_X\_\_\_ Officer (give title below) \_\_\_ Other (specify below)

Vice President and Controller

6363 SOUTH FIDDLERS GREEN CIRCLE

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

(Street)

GREENWOOD VILLAGE, CO 80111

(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	09/11/2012		M	3,250	A \$ 45.16	16,801	D
Common Stock \$1.60 par value	09/11/2012		S	3,250	D \$ 52.1663 (1)	13,551	D
Common Stock	09/11/2012		M	6,000	A \$ 42.06	19,551	D

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\$1.60 par value									
Common Stock \$1.60 par value	09/11/2012		S	6,000	D	\$ 52.0452 (2)	13,551		D
Common Stock \$1.60 par value	09/11/2012		M	9,000	A	\$ 44.49	22,551		D
Common Stock \$1.60 par value	09/11/2012		S	9,000	D	\$ 52.2391 (3)	13,551		D
Common Stock \$1.60 par value	09/11/2012		M	6,498	A	\$ 39.95	20,049		D
Common Stock \$1.60 par value	09/11/2012		S	6,498	D	\$ 52.1357 (4)	13,551		D
Common Stock \$1.60 par value							1,432 (5)		I
									By 401(k) Plan

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) (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. Derivative Securities (Instr. 3 and 4)	
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of

								Shares
Stock Option (right to buy)	\$ 45.16	09/11/2012	M	3,250	<u>(6)</u>	10/26/2015	Common Stock	3,250
Stock Option (right to buy)	\$ 42.06	09/11/2012	M	6,000	<u>(7)</u>	04/30/2017	Common Stock	6,000
Stock Option (right to buy)	\$ 44.49	09/11/2012	M	9,000	<u>(8)</u>	04/28/2018	Common Stock	9,000
Stock Option (right to buy)	\$ 39.95	09/11/2012	M	6,498	<u>(9)</u>	05/04/2019	Common Stock	6,498

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Ottewell David A. 6363 SOUTH FIDDLERS GREEN CIRCLE GREENWOOD VILLAGE, CO 80111			Vice President and Controller	

## Signatures

Logan H. Hennessey, Assistant Secretary, as attorney-in-fact 09/13/2012

\*\*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) This transaction was executed in multiple trades at prices of \$52.10 to \$52.23. 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.
- (2) This transaction was executed in multiple trades at prices of \$51.98 to \$52.17. 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) This transaction was executed in multiple trades at prices of \$52.185 to \$52.25. 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.
- (4) This transaction was executed in multiple trades at prices of \$52.10 to \$52.17. 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.

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- (5) As of August 30, 2012, the reporting person held 1,432 shares of Newmont Mining common stock in his 401(k) Plan.
- (6) The option vested in three equal annual installments beginning October 26, 2006.
- (7) The option vested in three equal annual installments beginning April 30, 2008.
- (8) The option vested in three equal annual installments beginning April 28, 2009.
- (9) The option vested in three equal annual installments beginning May 4, 2010.

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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