Edgar Filing: NEWMONT MINING CORP /DE/ - Form 4

NEWMONT MINING CORP /DE/ Form 4 December 02, 2004 FORM 4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549 Check this box if no longer STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF subject to **SECURITIES** Section 16. Form 4 or Form 5 Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, obligations Section 17(a) of the Public Utility Holding Company Act of 1935 or Section (Pri

may co <i>See</i> Ins 1(b).	ntinue. Section 17 truction	• •		-	ent Company Act of			1011		
(Print or Type	e Responses)									
1. Name and Address of Reporting Person <u>*</u> FRANCISCO DAVID H			2. Issuer Name and Ticker or Trading Symbol				5. Relationship of Reporting Person(s) to Issuer			
			NEWI [NEM		MINING CORP /DF	E/	(Cł	neck all applicabl	e)	
(Last)	(First)	(Middle)		of Earlies /Day/Yea	t Transaction			give title Otl	% Owner her (specify	
1700 LINCOLN STREET			11/30/2004				below) below) VP, Operations			
	(Street)		4. If An	nendment	, Date Original		6. Individual or	r Joint/Group Fili	ng(Check	
DENVER	, CO 80203		Filed(M	lonth/Day/	Year)			by One Reporting F y More than One R		
	, CO 80205						Person			
(City)	(State)	(Zip)	Ta	ble I - No	n-Derivative Securities	s Acqu	uired, Disposed	l of, or Beneficia	ally Owned	
1.Title of	2. Transaction Date	e 2A. Deeme	ed	3.	4. Securities	5.	Amount of	6. Ownership	7. Nature of	

1.Title of	2. Transaction Date	2A. Deemed	3.	Securities	5. Amount of	6. Ownership	7. Nature of
Security	(Month/Day/Year)	Execution Date, if	TransactionAcquired (A) or		Securities	Form: Direct	Indirect
(Instr. 3)		any	Code Disposed of (D)		Beneficially	(D) or Indirect	Beneficial
		(Month/Day/Year)	(Instr. 8)	(Instr. 3, 4 and 5)	Owned	(I)	Ownership
					Following	(Instr. 4)	(Instr. 4)
					Reported		
				(A)	Transaction(s)		
			Code V	or Amount (D) Pric	(Instr. 3 and 4)		
			Code V	Amount (D) Pric	æ		

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of SEC 1474 information contained in this form are not (9-02)required to respond unless the form displays a currently valid OMB control number.

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of	2.	3. Transaction Date	3A. Deemed	4.	5.	6. Date Exercisable and	7. Title and Amount of	8. Price of
Derivative	Conversion	(Month/Day/Year)	Execution Date, if	Transacti	onNumber	Expiration Date	Underlying Securities	Derivative
Security	or Exercise		any	Code	of	(Month/Day/Year)	(Instr. 3 and 4)	Security

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(Instr. 3)	Price of Derivative Security	(Month/Day/Year)	(Instr. 8)	Derivativ Securitie Acquirec (A) or Disposed of (D) (Instr. 3, 4, and 5)	s 1 1				(Instr. 5)
			Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	
Phantom Stock	<u>(1)</u>	11/30/2004	А	3	(2)	(2)	Common Stock	3	\$ 47.35

Reporting Owners

Reporting Owner Name / Address	Relationships							
	Director	10% Owner	Officer	Other				
FRANCISCO DAVID H 1700 LINCOLN STREET DENVER, CO 80203			VP, Operations					
Signatures								
Ardis Young, Assistant Secreta attorney-in-fact	ary, as		12/02/2004					
<u>**</u> Signature of Reporting P	erson		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) Converted on a 1-for-1 basis.
- (2) Shares of phantom stock are payable in cash following termination of the reporting person's employment with the Issuer.
- (3) As of November 30, 2004 the reporting person held 5,593 shares of Newmont Mining Corporation common stock in his 401-K Plan.

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.