#### NEWMONT MINING CORP /DE/

Form 4 May 05, 2010

### FORM 4

### UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

**OMB APPROVAL OMB** 

3235-0287 Number:

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Check this box

**SECURITIES** Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,

obligations may continue. See Instruction

Section 17(a) of the Public Utility Holding Company Act of 1935 or Section

30(h) of the Investment Company Act of 1940

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person \* **BARTON GLEN A** 

2. Issuer Name and Ticker or Trading

Issuer

5. Relationship of Reporting Person(s) to

Symbol

**NEWMONT MINING CORP / DE/** 

(Check all applicable)

[NEM]

(Month/Day/Year)

Filed(Month/Day/Year)

05/03/2010

(Last)

3. Date of Earliest Transaction

\_X\_\_ Director Officer (give title

10% Owner Other (specify

6363 SOUTH FIDDLERS GREEN

(Street)

(First)

**CIRCLE** 

4. If Amendment, Date Original

6. Individual or Joint/Group Filing(Check

Applicable Line)

(Middle)

\_X\_ Form filed by One Reporting Person Form filed by More than One Reporting

**GREENWOOD** VILLAGE, CO 80111

(City)	(State)	(Zip) Tabl	le I - Non-l	Derivative	Secu	rities Acc	uired, Disposed	of, or Beneficia	ally Owned
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. 4. Securities Acquired Transaction(A) or Disposed of (D) Code (Instr. 3, 4 and 5) (Instr. 8)			5. Amount of 6. Securities Ownership Beneficially Form: Direct Owned (D) or Following Indirect (I)		7. Nature of Indirect Beneficial Ownership (Instr. 4)	
			Code V	Amount	(A) or (D)	Price	Reported Transaction(s) (Instr. 3 and 4)	(Instr. 4)	
Common Stock, \$1.60 par value	05/03/2010		<u>J(1)</u>	1,334	A	\$ 28.11	4,990	I	By Glen Barton Revocable Trust
Common Stock, \$1.60 par value	05/03/2010		J <u>(1)</u>	1,591	A	\$ 23.57	6,581	I	By Glen Barton Revocable Trust
Common Stock,							12,295	D	

\$1.60 par value

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

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SEC 1474 (9-02)

> 8. I De Sec (In

# 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. Transactic Code (Instr. 8)	5. Number conf Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exer Expiration D (Month/Day,	ate	7. Title and Amount of Underlying Securities (Instr. 3 and 4)		8 II S ()
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	
Stock Option (right to buy)	\$ 28.11	05/03/2010		M	1,334	(2)	05/16/2012	Common Stock	1,334	
Stock Option (right to buy)	\$ 23.57	05/03/2010		M	1,591	(3)	11/21/2012	Common Stock	1,591	

# **Reporting Owners**

Reporting Owner Name / Address	Relationships					
<b></b>	Director	10% Owner	Officer	Other		
BARTON GLEN A						
6363 SOUTH FIDDLERS GREEN CIRCLE	X					
GREENWOOD VILLAGE, CO 80111						

### **Signatures**

Jeffrey K. Reeser, Vice President and Secretary, as attorney-in-fact

\*\*Signature of Reporting Person

Date

Reporting Owners 2

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## **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) Transfer of common stock to Glen Barton Revocable Trust following exercise of derivative securities described in Table II awarded pursuant to Issuer's Non-Employee Director Stock Plan.
- (2) The options became exercisable in three annual installments on May 16, 2003, May 16, 2004 and May 16, 2005.
- (3) The options became exercisable in three annual installments on November 21, 2003, November 21, 2004 and November 21, 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.