

KERR THOMAS R.  
Form 3  
January 11, 2010

**FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

OMB APPROVAL

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**INITIAL STATEMENT OF 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 *		2. Date of Event Requiring Statement	3. Issuer Name <b>and</b> Ticker or Trading Symbol	
KERR THOMAS R.		(Month/Day/Year)	NEWMONT MINING CORP /DE/ [NEM]	
(Last)	(First)	(Middle)	4. Relationship of Reporting Person(s) to Issuer	5. If Amendment, Date Original Filed(Month/Day/Year)
6363 SOUTH FIDDLERS GREEN CIRCLE			(Check all applicable)	
(Street)			<input type="checkbox"/> Director	<input type="checkbox"/> 10% Owner
			<input checked="" type="checkbox"/> Officer	<input type="checkbox"/> Other
			(give title below)	(specify below)
GREENWOOD VILLAGE, CO 80111			VP North American Operations	
(City)	(State)	(Zip)	6. Individual or Joint/Group Filing(Check Applicable Line)	
			<input checked="" type="checkbox"/> Form filed by One Reporting Person	
			<input type="checkbox"/> Form filed by More than One Reporting Person	

**Table I - Non-Derivative Securities Beneficially Owned**

1. Title of Security (Instr. 4)	2. Amount of Securities Beneficially Owned (Instr. 4)	3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5)	4. Nature of Indirect Beneficial Ownership (Instr. 5)
Common Stock, \$1.60 par value	4,458 <sup>(1)</sup> <sup>(2)</sup>	D	À

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

SEC 1473 (7-02)

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**Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

1. Title of Derivative Security (Instr. 4)	2. Date Exercisable and Expiration Date (Month/Day/Year)	3. Title and Amount of Securities Underlying Derivative Security (Instr. 4)	4. Conversion or Exercise Price of Derivative Security	5. Ownership Form of Derivative Security: Direct (D)	6. Nature of Indirect Beneficial Ownership (Instr. 5)
		Title			

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	Date Exercisable	Expiration Date		Amount or Number of Shares		or Indirect (I) (Instr. 5)	
Stock Option (right to buy)	Â (3)	05/14/2012	Common Stock	1,500	\$ 28.56	D	Â
Stock Option (right to buy)	Â (3)	11/20/2012	Common Stock	375	\$ 23.99	D	Â
Stock Option (right to buy)	Â (4)	12/02/2013	Common Stock	2,250	\$ 49.725	D	Â
Stock Option (right to buy)	Â (4)	04/27/2014	Common Stock	2,250	\$ 40.43	D	Â
Stock Option (right to buy)	Â (4)	12/07/2014	Common Stock	2,250	\$ 45.74	D	Â
Stock Option (right to buy)	Â (4)	04/27/2015	Common Stock	2,250	\$ 38.05	D	Â
Stock Option (right to buy)	Â (5)	10/26/2015	Common Stock	2,250	\$ 45.16	D	Â
Stock Option (right to buy)	Â (5)	04/26/2016	Common Stock	4,500	\$ 57.71	D	Â
Stock Option (right to buy)	Â (6)	04/30/2017	Common Stock	4,500	\$ 42.06	D	Â
Stock Option (right to buy)	Â (7)	04/28/2018	Common Stock	5,400	\$ 44.49	D	Â
Stock Option (right to buy)	Â (8)	05/04/2019	Common Stock	10,993	\$ 39.95	D	Â

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
KERR THOMAS R. 6363 SOUTH FIDDLERS GREEN CIRCLE GREENWOOD VILLAGE, CO 80111	Â	Â	Â VP North American Operations	Â

## Signatures

Ardis Young, Assistant Secretary

01/11/2010

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

\* If the form is filed by more than one reporting person, see Instruction 5(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) Includes 3,049 restricted stock units representing a right to receive one share of the Issuer's common stock in accordance with the terms and conditions of the Reporting Person's restricted stock unit agreements. Restricted stock units vest in three equal annual installments

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beginning the first anniversary of the date of grant. The restricted stock units held by the Reporting Person will vest as follows: 199 units on April 30, 2010; 224 units on April 28, 2010 and 227 units on April 28, 2011; 89 units on May 4, 2010, 2011 and 2012; and 710 units on February 23, 2010 and 711 units on February 23, 2011 and 2012.

- (2) As of December 31, 2009 the reporting person held 6,609 shares of Newmont Mining Corporation common stock in his 401(k) Plan.
- (3) The stock options vested in four equal annual installments beginning the first anniversary of the grant date and are fully vested.
- (4) The stock options vested in two equal annual installments beginning the first anniversary of the grant date and are fully vested.
- (5) The stock options vested in three equal annual installments beginning the first anniversary of the grant date and are fully vested.
- (6) The stock options vest in three equal annual installments beginning the first anniversary of the grant date and the remaining installment will vest April 30, 2010.
- (7) The stock options vest in three equal annual installments beginning the first anniversary of the grant date and the remaining installments will vest April 28, 2010 and April 28, 2011.
- (8) The stock options vest in three equal annual installments beginning the first anniversary of the grant date on May 4, 2010, May 4, 2011 and May 4, 2012.

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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