

NEWMONT MINING CORP /DE/
Form 4
May 02, 2003

FORM 4

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

OMB APPROVAL

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

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STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

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

Filed By
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| 1. Name and Address of Reporting Person* Dow, John A. S. (Last) (First) (Middle) 1700 Lincoln Street (Street) Denver, CO 80203 (City) (State) (Zip) | | 2. Issuer Name and Ticker or Trading Symbol Newmont Mining Corporation NEM | | | 6. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input type="checkbox"/> Director <input type="checkbox"/> 10% Owner <input checked="" type="checkbox"/> Officer (give title below) Other (specify below) Executive Vice President and Managing Director, Newmont Australia Limited | | | | | | |
|--|--------------------------------------|--|--------------------------------|---|---|--|--|--|-----------------------------------|---|----------|
| | | 3. I.R.S. Identification Number of Reporting Person, if an entity (voluntary) | | 4. Statement for Month/Day/Year 4/30/03 | | 7. 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 | | | | | |
| | | | | 5. If Amendment, Date of Original (Month/Day/Year) | | | | | | | |
| 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 & 5) | | | 5. Amount of Securities Beneficially Owned Following Reported Transactions(s) (Instr. 3 & 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Ownership (Instr. 4) | | |
| Common Stock \$1.60 par value | | | | Code | V | Amount | (A) or (D) | Price | 1,396 ⁽¹⁾ | I | By 401-K |

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

* If the form is filed by more than one reporting person, see Instruction 4(b)(v).

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FORM 4 (continued) 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 | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 & 4) | 8. Price of Derivative Security (Instr. 5) | 9. Number of Derivative Securities Beneficially Owned Following | 10. Ownership Form of Derivative | 11. Nature of Indirect Beneficial Ownership (Instr. 4) |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|---|----------------------------------|--|
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|---|----------------------------------|--|

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| | | Day/ Year) | Day/ Year) | 8) | (A) or Disposed of (D) | | Date Exer-cisable | Expira- tion Date | Title | Amount or Number of Shares | Reported Transaction(s) (Instr. 4) | Security: Direct (D) or Indirect (I) (Instr. 4) | |
|--------------------------|----------------|----------------|---------------|----------|------------------------------|------|----------------------|-------------------------|-------------------------|--|--|---|----------|
| | | | | | (Instr. 3, 4 & 5) | Code | | | | | | | V |
| Phantom Stock | 1-for-1 | 4-30-03 | | A | 67 | | immed | ⁽³⁾ | Common Stock | 67 | \$ 27.02 | 1,205 | D |

Explanation of Responses:

- (1) Holdings as of April 30, 2003 in Reporting Person's 401-K Plan
- (2) The Reporting Person has executed a power of attorney, a copy of which has been previously filed, that authorizes Ardis Young to sign this Form 4 on his behalf.
- (3) Shares of phantom stock are payable in cash following termination of the reporting person's employment with the Issuer.

By: /s/ Ardis Young, Attorney in Fact for John A. S. Dow⁽²⁾ May 2, 2003
Date

**Signature of Reporting Person

**Intentional misstatements or omissions of facts constitute Federal Criminal Violations.
See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

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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