

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)  
 6363 SOUTH FIDDLERS GREEN CIRCLE  
 (Street)

3. Date of Earliest Transaction (Month/Day/Year)  
 09/11/2012

\_\_\_ Director \_\_\_ 10% Owner  
 Officer (give title below) \_\_\_ Other (specify below)  
 Vice President and Controller

GREENWOOD VILLAGE, CO 80111

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 \_\_\_ Form filed by More than One Reporting Person

(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   |  |                                   |
|                                 |                                      |  |                                | Code  | V   | Amount   |                                   |
| Common Stock \$1.60 par value   | 09/11/2012                           |  | M                              | A   | 3,250   | \$ 45.16   | 16,801 D                          |
| Common Stock \$1.60 par value   | 09/11/2012                           |  | S                              | D   | 3,250   | \$ 52.1663<br><u>(1)</u>                                 | 13,551 D                          |
| Common Stock                    | 09/11/2012                           |  | M                              | A   | 6,000   | \$ 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 | \$<br>52.0452<br>(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 | \$<br>52.2391<br>(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 | \$<br>52.1357<br>(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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SEC 1474  
(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<br>Option<br>(right to<br>buy) | \$ 45.16 | 09/11/2012 | M | 3,250 | <u>(6)</u> | 10/26/2015 | Common<br>Stock | 3,250  |
| Stock<br>Option<br>(right to<br>buy) | \$ 42.06 | 09/11/2012 | M | 6,000 | <u>(7)</u> | 04/30/2017 | Common<br>Stock | 6,000  |
| Stock<br>Option<br>(right to<br>buy) | \$ 44.49 | 09/11/2012 | M | 9,000 | <u>(8)</u> | 04/28/2018 | Common<br>Stock | 9,000  |
| Stock<br>Option<br>(right to<br>buy) | \$ 39.95 | 09/11/2012 | M | 6,498 | <u>(9)</u> | 05/04/2019 | Common<br>Stock | 6,498  |

## Reporting Owners

| Reporting Owner Name / Address   | Relationships |           |                               |       |
|--|---------------|-----------|-------------------------------|-------|
|  | Director      | 10% Owner | Officer                       | Other |
| Ottewell David A.<br>6363 SOUTH FIDDLERS GREEN CIRCLE<br>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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