

GALLAGHER ROBERT JOSEPH  
 Form 4  
 December 12, 2007

**FORM 4**

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

OMB APPROVAL

OMB Number: 3235-0287  
 Expires: January 31, 2005  
 Estimated average burden hours per response... 0.5

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 \*  
**GALLAGHER ROBERT JOSEPH**

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)  
**1700 LINCOLN STREET**  
 (Street)

3. Date of Earliest Transaction (Month/Day/Year)  
**12/11/2007**

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

**DENVER, CO 80203**

(City) (State) (Zip)

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

**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		
Common Stock, \$1.60 par value	12/11/2007		M	3,500 A	\$ 13.22 23,626	D	
Common Stock, \$1.60 par value	12/11/2007		S	3,500 D	11 20,126	D	
Common Stock, \$1.60 par value	12/11/2007		M	3,750 A	\$ 21.03 23,876	D	

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Common Stock, \$1.60 par value	12/11/2007	S	3,750	D	Ⓛ	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	1,875	A	\$ 23.67	22,001	D
Common Stock, \$1.60 par value	12/11/2007	S	1,875	D	Ⓛ	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	2,500	A	\$ 28.56	22,626	D
Common Stock, \$1.60 par value	12/11/2007	S	2,500	D	Ⓛ	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	4,688	A	\$ 23.99	24,814	D
Common Stock, \$1.60 par value	12/11/2007	S	4,688	D	Ⓛ	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	6,667	A	\$ 28.11	26,793	D
Common Stock, \$1.60 par value	12/11/2007	S	6,667	D	Ⓛ	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	10,000	A	\$ 49.725	30,126	D
Common Stock, \$1.60 par value	12/11/2007	S	10,000	D	Ⓛ	20,126	D
	12/11/2007	M	10,000	A	\$ 40.43	30,126	D

Common Stock, \$1.60 par value							
Common Stock, \$1.60 par value	12/11/2007	S	10,000	D	0	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	15,000	A	\$ 45.74	35,126	D
Common Stock, \$1.60 par value	12/11/2007	S	15,000	D	0	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	6,666	A	\$ 38.05	26,792	D
Common Stock, \$1.60 par value	12/11/2007	S	6,666	D	0	20,126	D
Common Stock, \$1.60 par value	12/11/2007	M	6,666	A	\$ 45.16	26,792	D
Common Stock, \$1.60 par value	12/11/2007	S	6,666	D	0	20,126	D

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)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)
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					(Instr. 3, 4, and 5)						
				Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 13.22	12/11/2007		M			3,500	<u>(2)</u>	11/14/2010	Common Stock	3,500
Employee Stock Option (right to buy)	\$ 21.03	12/11/2007		M			3,750	<u>(3)</u>	05/15/2011	Common Stock	3,750
Employee Stock Option (right to buy)	\$ 23.67	12/11/2007		M			1,875	<u>(4)</u>	11/12/2011	Common Stock	1,875
Employee Stock Option (right to buy)	\$ 28.56	12/11/2007		M			2,500	<u>(5)</u>	05/14/2012	Common Stock	2,500
Employee Stock Option (right to buy)	\$ 23.99	12/11/2007		M			4,688	<u>(6)</u>	11/20/2012	Common Stock	4,688
Employee Stock Option (right to buy)	\$ 28.11	12/11/2007		M			6,667	<u>(7)</u>	05/06/2013	Common Stock	6,667
Employee Stock Option (right to buy)	\$ 49.725	12/11/2007		M			10,000	<u>(8)</u>	12/02/2013	Common Stock	10,000
Employee Stock Option (right to buy)	\$ 40.43	12/11/2007		M			10,000	<u>(9)</u>	04/27/2014	Common Stock	10,000
	\$ 45.74	12/11/2007		M			15,000	<u>(10)</u>	12/07/2014		15,000



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