#### GALLAGHER ROBERT JOSEPH

Form 4

Common Stock,

\$1.60 par value

Common Stock,

\$1.60 par value

12/11/2007

12/11/2007

December 12, 2007

#### **OMB APPROVAL** UNITED STATES SECURITIES AND EXCHANGE COMMISSION **OMB** 3235-0287 Washington, D.C. 20549 Number: Check this box January 31, Expires: if no longer 2005 STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF subject to Estimated average **SECURITIES** Section 16. burden hours per Form 4 or response... 0.5 Form 5 Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, obligations Section 17(a) of the Public Utility Holding Company Act of 1935 or Section may continue. 30(h) of the Investment Company Act of 1940 See Instruction 1(b). (Print or Type Responses) 1. Name and Address of Reporting Person \* 5. Relationship of Reporting Person(s) to 2. Issuer Name and Ticker or Trading GALLAGHER ROBERT JOSEPH Issuer Symbol NEWMONT MINING CORP /DE/ (Check all applicable) [NEM] 3. Date of Earliest Transaction (Last) (First) (Middle) Director 10% Owner X\_ Officer (give title Other (specify (Month/Day/Year) below) 1700 LINCOLN STREET 12/11/2007 Vice President (Street) 4. If Amendment, Date Original 6. Individual or Joint/Group Filing(Check Filed(Month/Day/Year) Applicable Line) \_X\_ Form filed by One Reporting Person Form filed by More than One Reporting DENVER, CO 80203 Person (City) (State) (Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned 1.Title of 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired (A) 5. Amount of 7. Nature of Security (Month/Day/Year) Execution Date, if Transactionr Disposed of (D) Securities Ownership Indirect (Instr. 3) Code (Instr. 3, 4 and 5) Beneficially Form: Beneficial Ownership (Month/Day/Year) Owned Direct (D) (Instr. 8) Following or Indirect (Instr. 4) Reported (A) Transaction(s) (Instr. 4) or (Instr. 3 and 4) Code V Amount (D) Price Common Stock. 12/11/2007 M 3.500 \$ 13.22 23,626 D Α \$1.60 par value

S

M

3,500

3,750

D

(1)

20,126

\$ 21.03 23,876

D

D

Common Stock, \$1.60 par value	12/11/2007	S	3,750	D	(1)	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	(1)	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	(1)	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	(1)	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	(1)	20,126	D
Common Stock, \$1.60 par value	12/11/2007	М	10,000	A	\$ 49.725	30,126	D
Common Stock, \$1.60 par value	12/11/2007	S	10,000	D	(1)	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	(1)	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	(1)	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	(1)	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	(1)	20,126	D

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

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

SEC 1474 (9-02)

 $\label{thm:convertible} \begin{tabular}{ll} Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned \\ (\emph{e.g.}, puts, calls, warrants, options, convertible securities) \\ \end{tabular}$ 

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative	3. Transaction Date (Month/Day/Year)		4. Transaction Code (Instr. 8)	5. Number of orDerivative Securities Acquired (A) or Disposed of	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)
(msu: 5)	Derivative Security		(Woman Buyl Tear)	(msu. o)	or Disposed of (D)		

(Instr. 3, 4, and 5)

	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	(2)	11/14/2010	Common Stock	3,500
Employee Stock Option (right to buy)	\$ 21.03	12/11/2007	M	3,750	(3)	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	(5)	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	(10)	12/07/2014		15,000

Employee Stock Option (right to buy)							Common Stock	
Employee Stock Option (right to buy)	\$ 38.05	12/11/2007	M	6,666	<u>(11)</u>	04/27/2015	Common Stock	6,666
Employee Stock Option (right to buy)	\$ 45.16	12/11/2007	М	6,666	(12)	10/26/2015	Common Stock	6,666

# **Reporting Owners**

Reporting Owner Name / Address	Relationships					
•	Director	10% Owner	•	Other		
GALLAGHER ROBERT JOSEPH						
1700 LINCOLN STREET			Vice President			

# **Signatures**

DENVER, CO 80203

Ardis Young, Assistant Secretary, as attorney-in-fact 12/12/2007

\*\*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) The price per share ranged from \$49.95 to \$50.78.
- (2) The option vested in four equal annual installments beginning November 14, 2001, 2002, 2003 and 2004...
- (3) The option vested in four equal annual installments beginning May 15, 2002, 2003, 2004 and 2005.
- (4) The option vested in four equal annual installments beginning November 12, 2002, 2003, 2004 and 2005.
- (5) The option vested in four equal annual installments beginning May 14, 2003, 2004, 2005 and 2006.
- (6) The option vested in four equal annual installments beginning November 20, 2003, 2004., 2005 and 2006.
- (7) The option vested in three equal annual installments beginning May 6, 2004, 2005 and 2006.
- (8) The option vested in three equal annual installments beginning December 2, 2004, 2005 and 2006.
- (9) The option vested in three equal annual installments beginning April 27, 2005, 2006 and 2007.
- (10) The option vested in three equal annual installments beginning December 7, 2005, 2006 and 2007.
- (11) The option vests in three equal annual installments beginning April 27, 2006, 2007 and 2008.
- (12) The option vests in three equal annual installments beginning October 26, 2006, 2007 and 2008.

Reporting Owners 5

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.