

GALLAGHER ROBERT JOSEPH  
 Form 4  
 November 12, 2004

**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 \*  
 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)  
 11/10/2004

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
 President, Newmont Indonesia

DENVER, CO 80203

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		
Common Stock, \$1.60 par value	11/10/2004		M	3,000 A	\$ 28.11	13,711	D
Common Stock, \$1.60 par value	11/10/2004		S	3,000 D	\$ 48.23	10,711	D
Common Stock, \$1.60 par value	11/11/2004		M	333 A	\$ 28.11	11,044	D

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Common Stock, \$1.60 par value	11/11/2004	S	333	D	\$ 48.5	10,711	D
Common Stock, \$1.60 par value	11/11/2004	M	1,875	A	\$ 23.67	12,586	D
Common Stock, \$1.60 par value	11/11/2004	S	1,875	D	\$ 48.5	10,711	D
Common Stock, \$1.60 par value	11/11/2004	M	2,500	D	\$ 28.56	13,211	D
Common Stock, \$1.60 par value	11/11/2004	S	2,500	D	\$ 48.5	10,711	D
Common Stock, \$1.60 par value	11/11/2004	M	1,562	A	\$ 23.99	12,273	D
Common Stock, \$1.60 par value	11/11/2004	S	1,562	D	\$ 48.5	10,711	D

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

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(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. Underlying Securities (Instr. 3 and 4)
					Code V (A) (D)		Title	



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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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