

Ball Russell David  
Form 4  
January 02, 2013

**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 \*  
Ball Russell David

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)  
12/31/2012

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
EVP & CFO

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)
			Code	V Amount (A) or (D) Price			
Common Stock, \$1.60 par value	07/16/2012		G <sup>(1)</sup>	V 200 D \$ 0 56,491		D	
Common Stock, \$1.60 par value	07/16/2012		G <sup>(1)</sup>	V 200 A \$ 0 200		I	By Son I
Common Stock,	07/16/2012		G <sup>(1)</sup>	V 200 D \$ 0 56,291		D	

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\$1.60 par value										
Common Stock, \$1.60 par value	07/16/2012		G <sup>(1)</sup>	V	200	A	\$ 0	200	I	By Son II
Common Stock, \$1.60 par value	07/16/2012		G <sup>(1)</sup>	V	200	D	\$ 0	56,091	D	
Common Stock, \$1.60 par value	07/16/2012		G <sup>(1)</sup>	V	200	A	\$ 0	200	I	By Son III
Common Stock, \$1.60 par value	07/16/2012		G <sup>(1)</sup>	V	200	D	\$ 0	55,891	D	
Common Stock, \$1.60 par value	07/16/2012		G <sup>(1)</sup>	V	200	A	\$ 0	200	I	By Son IV
Common Stock, \$1.60 par value								2,032 <sup>(2)</sup>	I	By 401(k) Plan

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)

**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. Price of Derivative Security (Instr. 5)	
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title	Amount or

								Number of Shares	
Phantom Stock	(3)	12/31/2012	A	10	(4)	(4)	Common Stock	10	\$ 46.44

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Ball Russell David 6363 SOUTH FIDDLERS GREEN CIRCLE GREENWOOD VILLAGE, CO 80111			EVP & CFO	

## Signatures

Logan H. Hennessey, Assistant Secretary, as attorney-in-fact	01/02/2013
**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).
- This transaction involved gifts of securities by the reporting person to four (4) of his minor sons, who share the reporting person's
- (1) household. As of December 31, 2012, the reporting person indirectly held 800 shares of Newmont Mining common stock by virtue of the aforementioned gifts.
  - (2) As of December 31, 2012, the reporting person held 2,032 shares of Newmont Mining common stock in his 401(k) Plan.
  - (3) Converted on a 1-for-1 basis.
  - (4) Shares of phantom stock are payable in cash following termination of the reporting person's employment with the Issuer or pursuant to elective distributions in accordance with the terms and conditions of the Savings Equalization Plan of the Issuer.

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.