

Ball Russell David
Form 4
January 02, 2013

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 *
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
(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) | | | |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|-----------------------------------|--------|---|----------|
| | | | Code | V | Amount | (A) or (D) | Price | | | |
| Common Stock, \$1.60 par value | 07/16/2012 | | G ⁽¹⁾ | V | 200 | D | \$ 0 | 56,491 | D | |
| Common Stock, \$1.60 par value | 07/16/2012 | | G ⁽¹⁾ | V | 200 | A | \$ 0 | 200 | I | By Son I |
| Common Stock, | 07/16/2012 | | G ⁽¹⁾ | 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 ⁽¹⁾ | V | 200 | A | \$ 0 | 200 | I | By Son II |
| Common Stock, \$1.60 par value | 07/16/2012 | | G ⁽¹⁾ | V | 200 | D | \$ 0 | 56,091 | D | |
| Common Stock, \$1.60 par value | 07/16/2012 | | G ⁽¹⁾ | V | 200 | A | \$ 0 | 200 | I | By Son III |
| Common Stock, \$1.60 par value | 07/16/2012 | | G ⁽¹⁾ | V | 200 | D | \$ 0 | 55,891 | D | |
| Common Stock, \$1.60 par value | 07/16/2012 | | G ⁽¹⁾ | V | 200 | A | \$ 0 | 200 | I | By Son IV |
| Common Stock, \$1.60 par value | | | | | | | | 2,032 ⁽²⁾ | 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.

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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. 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.