

SCHULICH SEYMOUR E  
 Form 4  
 January 06, 2005

**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

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**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 \*  
 SCHULICH SEYMOUR E

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)  
 01/04/2005

Director  10% Owner  
 Officer (give title below)  Other (specify below)

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 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)	Code V Amount (D) Price		

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	2. Conversion or Exercise	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any	4. Transaction Code	5. Number of Derivative Securities	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount Underlying Securities (Instr. 3 and 4)
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(Instr. 3)	Price of Derivative Security	(Month/Day/Year)	(Instr. 8)		Date Exercisable	Expiration Date	Title	Amount/Number of Shares
			Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	Code V				
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	400,000	02/16/2002	<u>(1)</u>	Common Stock	400,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	100,000	02/16/2002	<u>(1)</u>	Common Stock	100,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	75,000	02/16/2002	<u>(1)</u>	Common Stock	75,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	100,000	02/16/2002	<u>(1)</u>	Common Stock	100,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	275,000	02/16/2002	<u>(1)</u>	Common Stock	275,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	25,000	02/16/2002	<u>(1)</u>	Common Stock	25,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	1,000	02/16/2002	<u>(1)</u>	Common Stock	1,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	1,000	02/16/2002	<u>(1)</u>	Common Stock	1,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	200	02/16/2002	<u>(1)</u>	Common Stock	200
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	4,000	02/16/2002	<u>(1)</u>	Common Stock	4,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	3,500	02/16/2002	<u>(1)</u>	Common Stock	3,500
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	6,000	02/16/2002	<u>(1)</u>	Common Stock	6,000
Exchangeable Shares <u>(1)</u>	\$ 0	01/04/2005	S	9,300	02/16/2002	<u>(1)</u>	Common Stock	9,300

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
SCHULICH SEYMOUR E 1700 LINCOLN STREET DENVER, CO 80203		X		

## Signatures

Ardis Young, Assistant Secretary, as attorney-in fact for Seymour  
Schulich

01/06/2005

\*\*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).

- The Exchangeable Shares are shares of stock of Newmont Mining Corporation of Canada Limited, a corporation existing under the laws of Canada and wholly-owned subsidiary of the Issuer, that are convertible into common stock of the Issuer on a 1-for-1 basis at the option of the holder at any time after February 16, 2002. Pursuant to a voting and exchange trust agreement, the Exchangeable Shares are entitled to direct Computershare Trust Company of Canada ("Trustee") to cast the votes attaching to the shares of the Special Voting Stock of the Issuer held by the Trustee, on all matters submitted to the stockholders of the issuer. The Exchangeable Shares remain exchangeable at the option of the holder until redeemed by the Issuer.
- (1) The Exchangeable Shares are entitled to direct Computershare Trust Company of Canada ("Trustee") to cast the votes attaching to the shares of the Special Voting Stock of the Issuer held by the Trustee, on all matters submitted to the stockholders of the issuer. The Exchangeable Shares remain exchangeable at the option of the holder until redeemed by the Issuer.
  - (2) The price is listed in Canadian dollars.
  - (3) Since the Reporting Person's last report, 2,000,000 exchangeable shares previously held indirectly by Nevada Capital Corporation Ltd. have been transferred to 4000897 Canada Inc.
  - (4) The Reporting Person also holds the following securities: 4,000,158 exchangeable shares indirectly by Nevada Capital Corporation Ltd.

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.